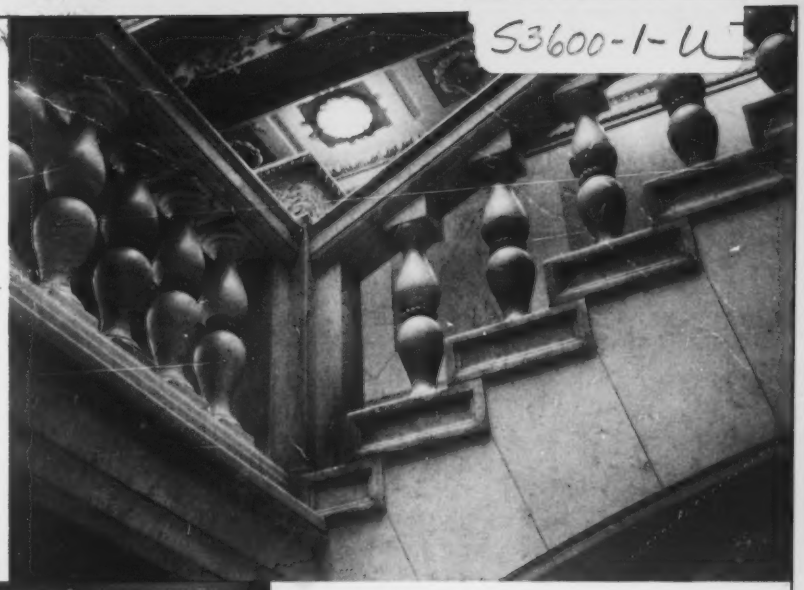
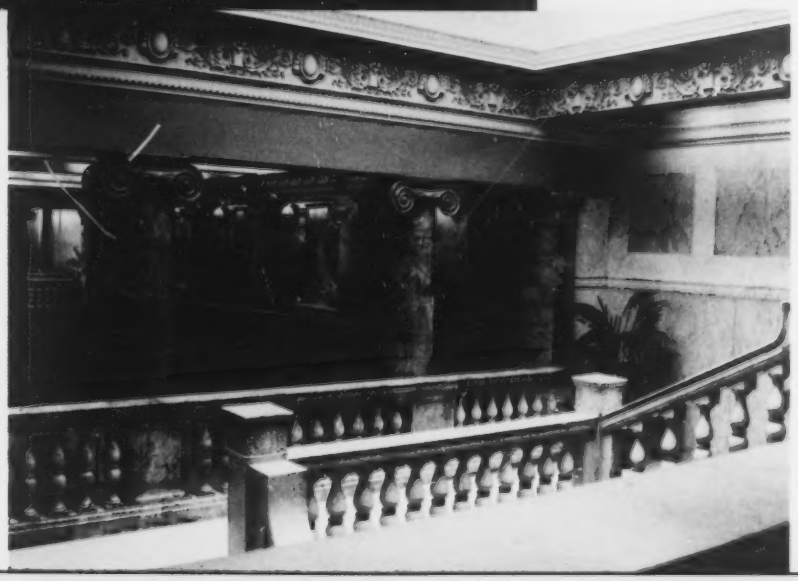
S3600-1-U

1989 - 1990

ANNUAL REPORT



MARYLAND JUDICIARY



ANNUAL REPORT
OF THE
MARYLAND JUDICIARY
1989-1990

Administrative Office of the Courts
Courts of Appeal Building
Post Office Box 431
Annapolis, Maryland 21404
301/974-2141

COVER: *From Top to Bottom*

Stairway, Clarence M. Mitchell, Jr., Courthouse; Baltimore

Newly Renovated Entrance, Courthouse East, Baltimore

Stairway and Main Lobby, Clarence M. Mitchell, Jr., Courthouse; Baltimore

Report prepared by the
Administrative Office of the Courts
Michael V. O'Malley
Peter J. Lally
Faye D. Gaskin
Norma P. Gainer

Graphics
Robert Termini
George N. Weber

Photographs
Marigan H. O'Malley

Court and County Seals provided by the
Department of General Services
Carleton W. Hayek
Carolyn Anderson

Contents

Letter of Transmittal v
Introduction vii
State of the Judiciary Message 1
Judicial Revenues and Expenditures 9
The Maryland Judicial System 13
- Judicial Circuits and Districts 16
- Members of the Maryland Judiciary 17
- The Court of Appeals 19
- The Court of Special Appeals 27
- The Circuit Courts 37
- The District Court 71

Judicial Administration 87
- Administrative Office of the Courts 89
- Judicial Education and Information Services 89
- Judicial Information Systems 91
- Judicial Special Projects 92
- Judicial Research and Planning Services 92
- Judicial Administrative Services 92
- Judicial Personnel Services 92
- Sentencing Guidelines 93
- Liaison with the Legislative and Executive Branches 94
- Circuit Court Administration 94
- District Court of Maryland 95
- Assignment of Judges 96

Court-Related Units 97
- Board of Law Examiners 99
- Rules Committee 101
- State Law Library 103
- Attorney Grievance Commission 104
- Clients' Security Trust Fund 105

Judicial Conferences 107
- The Maryland Judicial Conference 109
- Conference of Circuit Judges 110
- Administrative Judges Committee of the District Court 111

Appointment, Discipline, and Removal of Judges 113
- Judicial Nominating Commissions 115
- Removal and Discipline of Judges 119
- The Commission on Judicial Disabilities 119

1990 Legislation Affecting the Courts 121
Listing of Tables and Definitions 125
- Listing of Tables 127
- Definitions 129

Letter of Transmittal

ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401
974-2141

STATE COURT ADMINISTRATOR
GEORGE B. RIGGIN, JR.

DEPUTY STATE COURT ADMINISTRATORS
ROBERT W. McKEEVER
FRANK BROCCOLINA

September 1, 1990

This is the fourteenth *Annual Report of the Maryland Judiciary* which includes the thirty-fifth Annual Report of the Administrative Office of the Courts, as required by § 13-101(d)(9) of the Courts Article. The report covers Fiscal Year 1990, beginning July 1, 1989, and ending June 30, 1990.

The report provides data on the operation and functions of the Maryland courts. It presents statistical information on both individual courts and an overview of the Maryland judicial system as a whole. It is hoped this will provide a ready source of information to better understand Maryland court structure and operations.

The Administrative Office of the Courts is indebted to clerks of the appellate courts, the circuit courts of the counties and Baltimore City, and to clerks of the District Court of Maryland for their invaluable assistance in providing the statistics on which most of this report is based. My thanks to them and to all those whose talents contributed to the preparation of this publication.

George B. Riggin Jr

George B. Riggin, Jr.
State Court Administrator

FAX NUMBER: (301) 974-2063
TTY FOR DEAF: ANNAPOLIS AREA 974-2609
WASHINGTON AREA 565-0450

Introduction

ROBERT C. MURPHY
CHIEF JUDGE
COURT OF APPEALS OF MARYLAND
COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401

September 1, 1990

The *Annual Report of the Maryland Judiciary* (1989-1990) presents a detailed public accounting of the work of the judges and nonjudicial personnel of the Judicial Branch of State Government. It is the product of much arduous work by the dedicated and highly skilled staff of the Administrative Office of the Courts. So well does the *Report* portray the many operational facets of Maryland's court system and its adjunct appendages, that I commend it to your earnest reading. Most assuredly, it will enlighten the reader in the great breadth and scope of the activities of the Third Branch of Government.

Robert C. Murphy
Chief Judge

STATE OF THE JUDICIARY MESSAGE

State of the Judiciary Message

To a Joint Session of the General Assembly of Maryland

Delivered by
Chief Judge Robert C. Murphy
January 12, 1990

Governor Schaefer, President Miller, Speaker Mitchell, Ladies and Gentlemen of the General Assembly:

This is my ninth visit to these historic chambers to speak with you about the state of the Maryland Judiciary; your invitations to me now span three decades, beginning in the early 1970s, running through the '80s, and now into the '90s, as we start the countdown to a new and, I expect, very difficult and demanding 21st century.

Before getting underway with my 97-minute address, permit me to first acknowledge the presence of my esteemed Court of Appeals colleagues—in transcending order of seniority, Judges John C. Eldridge, Harry A. Cole, Lawrence F. Rodowsky, John F. McAuliffe, and William H. Adkins, II. Until his retirement on January 1 of this year, Judge Albert T. Blackwell, Jr., was the Court's seventh judge; pending Senate confirmation, Judge Howard S. Chasanow of the Circuit Court for Prince George's County will replace him, hopefully by January 17. To say that Judge Chasanow is eager is the height of understatement; all of us welcome him with open arms.

Within my almost 18 years as Chief Judge of the State's highest Court, and administrative head of the Judicial Branch of Government, this distinguished body has enacted a substantial mass of far-sighted legislation for the betterment of our judicial system; and, for that, all judges and supporting nonjudicial personnel are most grateful to you. Having said that, forgive me for remembering the words of that great phrasemaker—President Ulysses S. Grant—when, in addressing the Congress over a century ago, he said that he was thankful for all the Congress had done for the country but regretted that it had not done more. Echoing President Grant's sentiments, the "more" which I would have you consider favorably, among others, include authorizing six-person juries in civil cases in the circuit courts; increasing the monetary amount in controversy necessary for a jury trial in civil cases; the abolition of the utterly senseless de novo trial procedure in cases appealed from the District Court to the circuit courts; the reduction of maximum sentences, now rarely imposed, to less than ninety days for certain misdemeanor offenses within the jurisdiction of the District Court, thereby preventing the transfer of these cases to the circuit courts, pursuant to a specious jury trial demand made primarily for the purpose of delaying prosecution; and abolishing contested elections for circuit court judgeships—a reform certain to quadruple the number of lawyers who present themselves for appointment to the all-important circuit courts of the State. While these proposals have all been advanced in earlier years, and enjoy widespread support, you have not as yet been persuaded of their merit. Finding some solace in the recent enactment, after some 20 years of rejection, of the "covered loads" bill, we will continue to press for these measures, although as to the circuit court election bill, we will give it a rest this session, having been reliably informed, in the vernacular, that "this just ain't the year for that to fly."

Moving to firmer ground, the federal court system, and those of a number of states, have established high-level commissions to develop long-range plans to meet the demands that will most assuredly confront the courts as we stand on the brink of a new century. Congress, for example, created a 15-member federal courts study commission to develop means—other than adding judges to the federal system—to cope with the ever-increasing federal court caseload. Much of that increase results from the tidal wave of drug-related prosecutions—cases so numerous, according to the Chief Justice of the United States in his year-end report, as to constitute a 280 percent increase since 1980 in federal drug prosecutions, and which now comprise roughly 44 percent of all federal district court criminal cases. The federal commission is suggesting, among other remedies, that federal jurisdiction over a substantial number of cases be transferred to state courts which already handle roughly 95 percent of the nation's litigation. State courts are, of course, themselves inundated with drug cases. In Baltimore City, for example, in calendar year 1988, there were 13,459 drug abuse arrests alone, roughly 44 percent of all such arrests in the entire State. And these figures do not encompass those many crimes where, as in larceny and robbery, a precipitating factor is the need to steal, violently if necessary, to obtain drugs.

New York has established a Commission on the Courts of the 21st Century to develop a judicial operating plan suitable to the long-range needs of the people of that state. The Chief Judge of New York suggests that the drug crisis, which is overwhelming the courts of that state, is only at its beginning, not its middle or at the end, and that the crisis will deepen and expand. He speaks of endless streams of crack addicts in New York courts, exhausted police officers, and grim-faced judges—all occupying center stage in the countless tragedies played out every day in that state's innumerable courtrooms.

Arizona has a 34-member Commission on the Future of the Arizona Courts, which has made many recommendations to enable its courts to meet the many new challenges anticipated in the coming century, including many of the judicial reforms we have proposed, but previously found wanting by you. A Commission for the Future of the Virginia Judicial System is also operative, its mission to develop a vision for an effectively functioning judicial system for the 21st Century. And an extremely important National Conference has been scheduled this spring in San Antonio; it is entitled *The Future and the Courts Conference* and representatives from all 50 states will participate.

I suggest the wisdom of a legislative resolution directing the empaneling of a select committee on the administration of justice in Maryland courts, to consist of our most astute and visionary leaders in the fields of business, education, community affairs, government, law and politics, to conduct an in-depth assessment of whether, absent substantial change in our present mode of judicial branch operations, we are capable of satisfying the demand for effective and timely adjudicatory services in the coming decades. And, if not, what steps must be taken in our State of over four and a half million people to retool our judicial system to enable it to fulfill its historic role of fairly, expeditiously and, as inexpensively as possible, administering justice in our tripartite system of government. To lose sight of the vital importance of the Judiciary in the planning process is to forget a most fundamental lesson of history—that there cannot be, and indeed never has been, a civilized society that was not governed by law. It is thus imperative that the Judicial Branch be so positioned as will best enable it to discharge its adjudicatory responsibility to our people; and that neither well-entrenched interests opposed to any change, nor a slavish devotion to our historic origins, be permitted to maintain the status quo where more effective means are at hand to implement the overriding interests of the public.

In past addresses, I have spoken at length—ad nauseam some have said—of the various levels of our judicial system—how they interact with one another, and with the federal court system; about the sometimes confusing jurisdiction of the various courts; the intricacies of the appellate process; and of the need for enlightened management of all our courts in this technological age of mainframe and other computer marvels. All of this, and a great deal more, in breathtaking detail, is contained in the 133-page *Annual Report of the Maryland Judiciary*. The cover alone is worth the price, depicting, as it does, an aerial view of Fort McHenry on the 175th Anniversary of the Star Spangled Banner—with Old Glory embedded into and spanning a considerable expanse of the waterfront lawn of that sacred national treasure. I might add that the *Report* is chockfull of exciting statistical tables which will positively rivet you to your seats during many hours of pleasurable reading.

"I suggest . . . the empaneling of a select committee . . . to conduct an in-depth assessment of whether, absent substantial change in our present mode of judicial branch operations, we are capable of satisfying the demand for effective and timely adjudicatory services in the coming decades. And, if not, what steps must be taken in our State of over four and a half million people to retool our judicial system to enable it to fulfill its historic role of fairly, expeditiously and, as inexpensively as possible, administering justice in our tripartite system of government."

Excluding Orphans' Courts, Maryland has a four-tier system of state courts, all but one of which—the circuit courts of the State—are funded in their entirety by the State. These courts—the Court of Appeals, the Court of Special Appeals (the State's intermediate appellate court), and the District Court of Maryland (not to be confused with the Federal District Court)—are unified, each with its own Chief Judge and a Clerk appointed by the court. The circuit courts—one in each county and in Baltimore City—are arranged in eight circuits; they consist of a total of 116 judges and are separate from one another and thus are not unified. There is no single Chief Judge in operational charge of all the circuit courts of the State; rather, these courts are each headed by Administrative Judges appointed or approved by the Chief Judge of the Court of Appeals. While there is a Chief Judge of each of the eight judicial circuits, that designation is based solely on seniority; and the Chief Judge of the circuit is administratively subordinate to the Administrative Judge, except for purely ceremonial functions.

The circuit courts depend entirely on the Clerk of the Circuit Court for operational support, in and out of the courtroom. There are 24 Circuit Court Clerks, one in each county and in Baltimore City; they are separate and distinct from each other; and they have responsibility, not only to support circuit court operations, but for a number of nonjudicial functions as well—maintenance of land records and licenses of various kinds. Some Clerks' offices are automated; most are not but under your mandate, which you have supported by adequate funding, automation will come over a five-year period to every Clerk's office.

As you know, the Clerks obtain their offices, not by appointment, as with the Clerks of the appellate and District Courts, but by popular election and this has been the case in Maryland since 1851. The Clerks are officers of the State under the Maryland Constitution and, with several exceptions, they appoint their employees without regard to the State merit

system. Each Clerk's office is, in effect, a general fund agency of the State; their appropriations flow to them through the Executive, and not the Judicial Branch component of the State Budget. The operation of the Clerks' offices is a substantial one—collectively the Clerks employ 1114 people and their combined annual budgets in this fiscal year total almost 39 million dollars. The scope and complexity of their work is evident from the number of employees engaged in various of the Clerks' offices. For example, the Baltimore City Clerk has 300 employees; Montgomery, 179; Prince George's, 129; Baltimore County, 114.

The judges of the circuit courts are not empowered to exercise direct control of the Clerks' offices; rather, they are limited to an ill-defined visitorial oversight of the work of the Clerk. Because the Clerk is by law under the fiscal and budgetary control of the Comptroller, and under the employee classification and reclassification authority of the Secretary of Personnel, the circuit court judges are without any direct authority in these critical areas.

The work of the Circuit Court Clerk's office is demanding and voluminous. A very high-level of management skills is essential to the day-to-day operation of these offices upon which the circuit court judges so vitally depend. Circuit court judges across the State have expressed great concern over the inability of the clerks to obtain requisite staff to timely process the court's work. I am now advised that legislation will be proposed at this session placing the Clerks' budgetary appropriations within the Judicial component of the State Budget. Such a change, without more, would be a mere substitution of one paymaster—the Comptroller—for another—the Judiciary—and I would be flatly opposed to including the Clerks within the Judicial Budget, unless clear administrative authority is vested in the Judiciary to direct and control the judicial work of the Clerks' offices, and to compel adequate training of the Clerks' staff. If any such change is to be made, an amendment to the Maryland Constitution will be required.

The intensity of Judicial Branch operations can be gleaned in part from the size of our caseloads. The two trial courts—the circuit and district courts—together experienced over 2 million case filings. In FY '89, in round numbers, almost 214,000 cases were filed in the circuit courts—61,000 were criminal cases, comprising 28 percent of the total filings, an increase of 5.9 percent over the previous year (almost 25 percent of these cases were in Baltimore City); 116,000 of the total number were civil cases, comprising 54.4 percent of the whole, an increase of 3.1 percent over the preceding year (20 percent were in Baltimore City); and 36,000 were juvenile matters, comprising 16.9 percent of the total filings, an increase of 2.5 percent over the preceding year (37 percent were in Baltimore City). The circuit courts conducted 227,000 judicial proceedings in FY '89, including 8416 court trials and almost 3000 jury trials. At the close of the fiscal year, the inventory of pending circuit court cases numbered 238,000, a decrease of almost 5 percent from the preceding year. Over 50 percent of the total criminal filings consisted of cases transferred to the circuit courts where the defendant had a constitutional right to, and demanded, a jury trial, albeit subsequently waiving it in 98 percent of the transferred cases, thereby wreaking havoc with the stability of both District and Circuit Court trial schedules.

You should know that in the first quarter of FY '90, circuit court caseloads have again increased over the preceding corresponding period in the year before by 6.3 percent in civil, 12.2 percent in criminal, and 13.2 percent in juvenile. The trend is, as in past years, an upward one, with no relief in sight.

Unlike District Court cases, many circuit court cases are of protracted duration, with individual trials longer than a month being fairly commonplace. Mass tort actions for personal injury resulting from exposure to asbestos products have added immeasurably to the strain in a number of our circuit courts. These are difficult jury trial cases, some lasting between 8 to 12 weeks, and the numbers are simply staggering. As of January 3, 1990, Baltimore City had 4391 of these cases; Baltimore County, 2016; Prince George's County, 204; Allegany County, 203; Washington County, 72. And we are told that another 2000 of these cases will be filed in the near future. To bring but a small fraction of these cases to trial would require a commitment of resources far beyond the capacity of any court system in the country, even if no other civil cases were brought to trial. Counsel for the parties are now in the process of attempting mass arbitration of these cases, without trial, through our interdiction of a Special Court Master who successfully participated in similar arbitration programs in connection with the very extensive Dalkon Shield and Agent Orange litigation. The Judiciary is much indebted to Governor Schaefer whose understanding of the crisis resulted in an advance of funds necessary to initiate these on-going arbitration proceedings. Nor would we be as far advanced as we now are absent the positively superb and invaluable services of retired Judge Marshall A. Levin of Baltimore City—one of the country's leading authorities in asbestos litigation. You should also know that the State, as

"I would be flatly opposed to including the Clerks within the Judicial Budget, unless clear administrative authority is vested in the Judiciary to direct and control the judicial work of the Clerks' offices, and to compel adequate training of the Clerks' staff. If any such change is to be made, an amendment to the Maryland Constitution will be required."

plaintiff, and several political subdivisions are suing a number of asbestos defendants for damages associated with the use of these products in government buildings; each of these cases, which seek damages into the many millions of dollars, may consume as much as a year in trial before the circuit courts of the State.

In the District Court, there are 95 judges—including Chief Judge Sweeney who so ably administers that court—and who, when we are desperate, presides over cases in the various districts, much to the chagrin of those lawyers who must look upon his stern and frowning countenance. In FY '89, the total caseload of the District Court, again in round numbers, climbed to almost 1,900,000 filings, an increase of 4.4 percent over the previous year. Of this total number, 968,000 were motor vehicle cases, of which 299,000 were tried cases, 601,000 were cases where the defendant paid a fine, and almost 69,000 were closed by other dispositions. Of the District Court's almost 2 million cases, 156,000 involved criminal charges (of which Baltimore City accounted for one-third); and the civil cases numbered 706,000 of which landlord-tenant cases, mostly in Baltimore City, comprised 70 percent. Among this caseload were almost 5000 domestic violence and 196 child abuse cases. And, since I last addressed you two years ago, the District Court's DWI caseload has grown from 36,000 to 44,000 prosecutions—a sobering and frightening statistic indeed, one which has resulted in substantial backlogs in the trial of these cases—backlogs which we are hopeful of overcoming without major personnel increases.

The State's intermediate appellate court, known as the Court of Special Appeals, and consisting of 13 judges, has also experienced an increased workload of roughly 9 percent over the preceding year. That remarkable court, under the tireless direction of Chief Judge Richard P. Gilbert, has one of the most enviable track records of any intermediate appellate court in the nation. Its last judge was added to the court in 1977, and it has not sought additional judges since that time, preferring to add to its central professional staff of research lawyers for the required additional assistance. To keep its docket within manageable bounds, we will seek legislation this year that will affect probation revocation cases; rather than an appeal as of right, we will ask that an application for leave to appeal procedure be substituted in its place. This will involve approximately 100 cases on that court's docket without any harmful impact on the administration of justice.

The Court of Appeals, consisting of seven judges, structures its own docket through the certiorari procedure, so that its caseload remains stable from year to year and no additional personnel are needed at this time.

"To keep its [the Court of Special Appeals] docket within manageable bounds, we will seek legislation this year that will affect probation revocation cases; rather than an appeal as of right, we will ask that an application for leave to appeal procedure be substituted in its place. This will involve approximately 100 cases on that court's docket without any harmful impact on the administration of justice."

What does it take in terms of money and personnel to operate the Judicial Branch of Government. The overall appropriation from both state and local funding sources this year is roughly $161,000,000. Of this amount, the State Judicial Budget, which includes neither the appropriations for Circuit Court Clerks' offices, nor the operating costs of the circuit courts, is almost 88 million dollars or 54 percent of the overall total. The largest program within the State Judicial Budget is the District Court which expends over 57 million dollars or 65.1 percent of that total figure. In all, 1415 employees receive their compensation through the various programs of the State Judicial Budget.

Appropriations to Circuit Court Clerks in the Executive Branch Budget were almost 39 million and encompassed 1114 employees. This amount, if added to the State Judicial Budget, would equal 78.7 percent of all appropriations for the Judiciary. The remainder comes from the counties and Baltimore City for circuit court operations. It totals slightly over 34 million dollars, and includes compensation paid to 776 employees, this being 21.3 percent of the overall public monies appropriated to sustain the Judicial Branch of Government.

Last year, in accordance with my annual judicial need certification, you authorized additional circuit court judges in Carroll and St. Mary's Counties, and District Court judgeships in Howard and Anne Arundel Counties, bringing our total complement of judges (excluding Orphans' Court judges) to 231. This year, after much agonizing, I must certify the need for six additional judgeships—four in the circuit courts—one each in Baltimore City and in Montgomery, Prince George's and Baltimore Counties; and two District Court judgeships, one in Harford and the other in Wicomico Counties. In these jurisdictions, the need is compelling and simply cannot be ignored, notwithstanding the considerable public expense, both to the State and to the political subdivisions associated with the creation of these offices. This request takes full account of the extensive use being made of retired judges recalled to active duty during emergency periods; during protracted illnesses of active judges; and during the pendency of unfilled judicial vacancies. In this past year, retired judges were recalled to sit for 1,741 days—802 days were devoted to circuit court work; 796 were days allocated to the District Court; and the remainder was utilized in our appellate courts. In particular, the use of retired judges to preside over settlement conferences in civil money damage actions has resulted in the

termination, without the necessity of time-consuming trials, of a large number of cases—an enormous saving of public expense. Presently acting in this capacity are retired judges in Baltimore City, Montgomery, Baltimore, Carroll and Howard Counties, as well as in the courts of the Eastern Shore. Retired judges have also been effectively utilized in the circuit courts' instant jury trial projects now functioning in several large jurisdictions as a means of overcoming the excessive delay associated with last-minute jury trial demands made in the District Court.

As a result of a Maryland State Bar Association initiative, there was conducted in a number of circuit court jurisdictions a "Settlement Week" project, which utilized the services of a large number of volunteer lawyers as mediators, without fee, to settle civil money damage cases pending on circuit court dockets. Forty-nine percent of the 849 cases considered were settled without trial. This program will be enlarged and extended across the State, and we are deeply indebted to the lawyers of Maryland for this high public service.

Turning to other matters, I advised you two years ago that a Joint Committee of the Judiciary and the State Bar Association had undertaken to determine whether, as some charged, gender bias existed within the Maryland Court and legal systems. After a number of public hearings and extensive study, the committee found that gender bias did indeed exist and affected decision-making in some courts, and impacted as well upon those who participated in our judicial and legal systems. A second Joint Committee on Gender Equality, comprising 21 judges and lawyers, chaired by Court of Appeals Judge Lawrence F. Rodowsky, is now confronting—head on—the problems uncovered by that initial study; its basic modus operandi is, through broad-based educational programs, to highlight the existing abuses and then eradicate gender inequality as and where it is found.

For your information, there are almost 20,000 lawyers admitted to practice law in this State. Beginning last fall, President Herbert S. Garten of the Maryland State Bar Association and its Board of Governors launched a truly extraordinary effort to make this magnificent resource available to the estimated near one million poor people in Maryland who need, but cannot afford, the services of a lawyer. They contacted every lawyer in this State by letter, seeking their participation, and the response has been gratifying beyond all expectations. The program is appropriately labeled *People's Pro Bono—The Highest Form of Professionalism* and it promises to at least triple the number of volunteer lawyers willing to provide free service to our disadvantaged citizens. Even before this campaign began, survey results disclosed that close to $46,000,000 of free legal services have been donated by Maryland attorneys in the past 12 months. A vast improvement on this remarkable record is certain to flow from the Bar's new program, one that I am reasonably certain no other profession can come close to matching.

"This year, after much agonizing, I must certify the need for six additional judgeships—four in the circuit courts—one each in Baltimore City and in Montgomery, Prince George's and Baltimore Counties; and two District Court judgeships, one in Harford and the other in Wicomico Counties."

Returning briefly to our court system, in forty-eight of our fifty states, the state's highest court—the Supreme Court—is appropriately known by that name. Only in Maryland and New York is the state's Supreme Court known as the Court of Appeals, which is the very name given to intermediate appellate courts in virtually all of our sister states. Maryland's intermediate appellate court is inappropriately named the "Court of Special Appeals"—a total misnomer as that court does not hear appeals in special cases, but in all appeals other than death penalty cases. You have received recommendations from various Study Commissions in the past that this court be renamed "The Appellate Court of Maryland" and that the Court of Appeals be renamed "The Supreme Court of Appeals of Maryland." This change before we enter upon the 21st Century would go a long way to assisting the public to understand the structure of our appellate court system.

And finally, there appears to be little sentiment for full State assumption of all costs of operating the circuit courts of the State. The last commission which considered the proposal—the Fisher Commission in 1982—concluded that while circuit courts are State courts, and the State is a more reliable funding source than our financially-strapped political subdivisions, nevertheless, these courts are operating reasonably; circuit court judges were generally opposed to a State takover; and State funding would not necessarily produce a better system. In view of the historic localism of these courts, the Fisher Commission believed that the judges were in a position to present their needs more effectively to local government than to this body and that the fiscal problems of the circuit courts could be addressed by the General Assembly by an approach less drastic than full State funding. It recommended that the State consider grants to the circuit courts to defray some of their operational expenses and, in particular, it suggested, albeit without success, that the State pay all jury expenses, an amount then slightly over 3 million dollars.

A prefiled bill on behalf of the Baltimore City Administration seeks full State funding of all its circuit court costs, not alone because of its relative poverty, but because of its unique posture among the State's subdivisions. The city is, of course, the industrial, the commercial, the financial, the cultural hub of our State and that which adversely affects it inevitably adversely affects a majority of our citizens in a way different than other political subdivisions. People

pour into the city from all over the state and country—to their employment, to the aquarium, to the Preakness, to Oriole's games, to the museums, to Johns Hopkins Hospital, soon to the All-Star game, and to a multitude of attractions which have no counterpart in our State. Like most of our great cities, Baltimore is plagued with crime to a degree not experienced by the counties; neither the victims of crime nor those criminals who prey upon them are necessarily city residents. More of everything is needed in the criminal justice system in Baltimore City. It is now so starved for funds as to be largely incapable of initiating effective new procedures now utilized in our counties to prosecute crime within their borders. It is not that the city is not supporting the circuit courts to the best of its ability; indeed, the city's per capita costs for such support is considerably higher than that provided by most other subdivisions. The problem is that, in the city, the undertaking is so much greater. My worst fear is that, absent meaningful state-grant support, our leading metropolis may become a sanctuary for criminal predators to ply their nefarious trade secure in the belief that the likelihood of prompt and effective prosecution is slight.

I have said before, and it bears repeating, that Maryland judges are engaged in a tedious, intensive, day-to-day struggle to keep abreast of seemingly endless dockets of complex cases which affect the lives, liberty, and property of large masses of our citizens. The work is demanding, physically and mentally exhausting, and at times emotionally draining. It has and will continue to take its toll of our judges. Threats against judges are not a new phenomenon. The recent attack on your former senatorial colleague, Judge John Corderman of Washington County, was a deadly assault aimed, not just at him, but most likely upon our justice system as an institution. And while judges and all personnel of the judicial branch must protect themselves to the greatest extent possible, the need to fairly administer justice cannot, and will not, be subordinated to considerations of personal safety.

"My worst fear is that, absent meaningful state-grant support, our leading metropolis may become a sanctuary for criminal predators to ply their nefarious trade secure in the belief that the likelihood of prompt and effective prosecution is slight."

Mr. President, Mr. Speaker, for myself and all members of the Judiciary's family of judges and supporting personnel, we thank you for all your good work and deeds on our behalf. Our trust and confidence in the Legislative Branch of Government, with which I have worked so closely for so many years, simply could not be higher. For every member of this distinguished assembly, we wish for you a smooth and productive session in the interest of all the people of our great State.

JUDICIAL REVENUES AND EXPENDITURES

Judicial Revenues and Expenditures

State and local costs to support the operations of the judicial branch of government were approximately $161.7 million in Fiscal 1990. The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts; the District Court of Maryland; the clerks' offices and headquarters of the several courts; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; and the Commission on Judicial Disabilities. There were 231 judicial positions as of June 30, 1990, and 3,536 nonjudicial positions in the judicial branch.

The state-funded judiciary budget operates on a program budget and expended $88,410,176 in the twelve-month period ending June 30, 1990. The two appellate courts and the clerks' offices are funded by two programs. Another program pays the salaries and official travel costs for the circuit court judges. The largest program is the state-funded District Court which expended $54,257,834, but brought in general revenue of $54,786,271 in Fiscal 1990. The Maryland Judicial Conference contains funds for continuing judicial education and Conference activities. Remaining programs provide funds for the Administrative Office of the Courts, the Maryland State Law Library, Judicial Data Processing, the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, the State Reporter, and the Commission on Judicial Disabilities.

The Attorney Grievance Commission and the Clients' Security Trust Fund are supported by assessments paid by lawyers entitled to practice in Maryland. These supporting funds are not included in the Judicial budget.

The figures and tables show the state-funded judicial revenue and expenditures for Fiscal 1990. The court-related revenue of $55.3 million is remitted to the State's general fund and cannot be used to offset expenditures.

Judicial Branch Personnel in Profile

Judicial Personnel	
Court of Appeals	7
Court of Special Appeals	13
Circuit Court	116
District Court	95
Nonjudicial Personnel	
Court of Appeals	31
Court of Special Appeals	59
District Court	1,140
Administrative Office of the Courts	158
Court-Related Offices	
State Board of Law Examiners	5
Standing Committee on Rules of Practice and Procedure	3
State Law Library	17
State Reporter	2
Circuit Courts—Local Funding	775.6
Circuit Courts—Allocated Positions	1,114.5
Total	3,536.1*

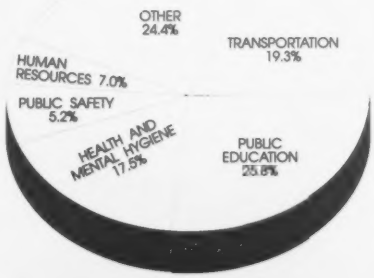
*Includes allocated and contractual positions.

The total state budget was approximately $11 billion in Fiscal 1990. The illustration reflects that the state-funded judicial budget consumes but a tiny fraction of the entire state budget, approximately 0.8 of one percent. The chart also illustrates the contributions by the State, the clerks' offices, and the local subdivisions to support the judicial branch of government. The State portion accounts for approximately 54.7% of all costs, while the local subdivisions and the clerks' offices account for 21.2% and 24.1%, respectively.

Effective July 1, 1987, operating costs for the clerks' offices of the circuit courts are paid from State appropriations. Prior to that date, they were paid from filing fees, court costs, commissions collected, and a deficiency fund paid by the State. This is no longer the case. All court-related revenue collected by these offices is now remitted to the State general fund and cannot be used to offset expenditures. Expenses for Fiscal 1990 were $38,974,744.

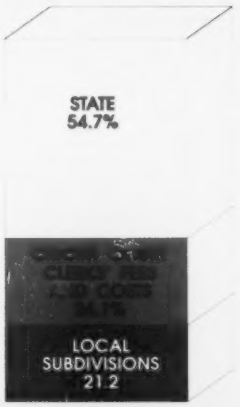
Other circuit courts are funded locally by Maryland's 23 counties and Baltimore City. In Fiscal 1990, the appropriations by the local subdivisions were approximately $34.3 million. Court-related revenues collected by the circuit courts from sources other than fines, forfeitures, and appearance fees are minimal. This money comes from such sources as fees and charges in domestic relations matters and service charges in collecting nonsupport. Fines, forfeitures, and certain appearance fees are returned to the subdivisions for various purposes, primarily for the support of the local court library.

STATE FUNDED PORTION OF JUDICIAL EXPENDITURES FOR FISCAL YEAR 1990



JUDICIAL BUDGET .8%

FUNDING SOURCES FOR JUDICIAL BRANCH



State Funded Judicial Budget

Revenues*

Program	Actual FY 1988	Actual FY 1989	Actual FY 1990
Court of Appeals	$ 68,930	$ 58,286	$ 59,287
Court of Special Appeals	66,587	72,607	74,530
State Board of Law Examiners	399,104	398,124	407,898
District Court	47,790,429	52,062,040	54,786,271
TOTAL	$48,325,050	$52,591,057	$55,327,986

* Revenues come from filing fees, fines, bail forfeitures and court costs remitted to the State's general fund and are not available to offset expenditures.

Expenditures*

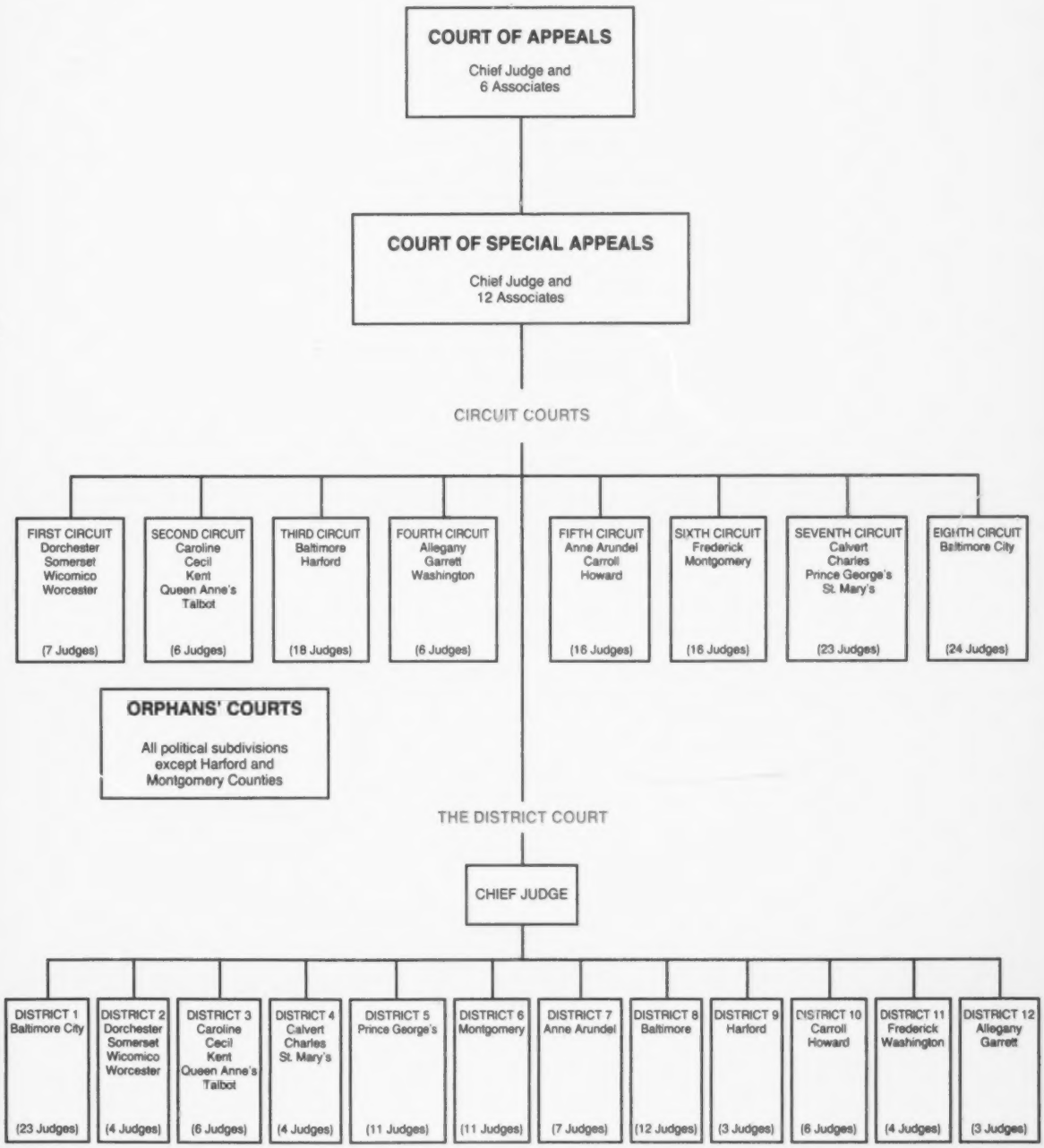
Program	Actual FY 1988	Actual FY 1989	Actual FY 1990
Court of Appeals	$ 1,968,524	$ 2,096,298	$ 2,255,447
Court of Special Appeals	3,531,353	3,758,778	4,074,382
Circuit Courts	13,082,276	15,023,573	17,597,653
District Court	46,690,338	51,735,118	54,257,834
Maryland Judicial Conference	70,876	63,398	72,161
Administrative Office of the Courts	1,487,506	1,573,334	1,859,474
Court-Related Agencies	730,141	726,051	728,961
Maryland State Law Library	503,723	518,478	617,659
Judicial Data Processing	5,426,921	6,366,636	6,946,605
TOTAL	$73,491,658	$81,861,664	$88,410,176

* Expenditures are paid from annual appropriations by the legislature to the judiciary budget.

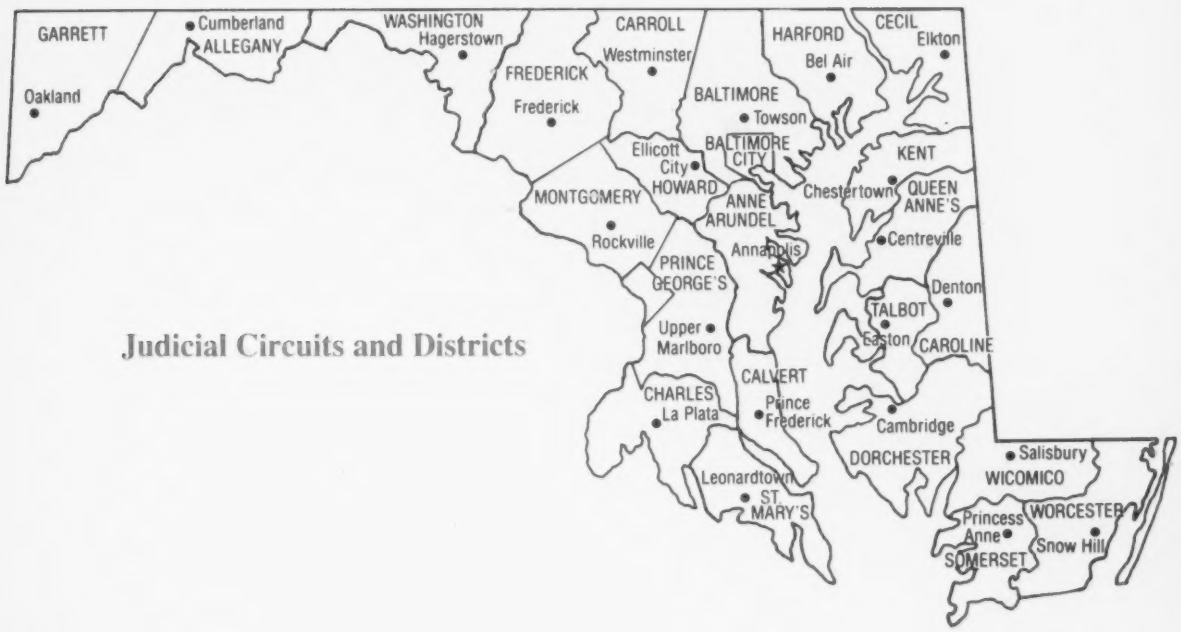
THE MARYLAND JUDICIAL SYSTEM

THE MARYLAND JUDICIAL SYSTEM

FISCAL 1990



State of Maryland



Judicial Circuits and Districts

JURISDICTIONS INCLUDED IN APPELLATE CIRCUITS	JURISDICTIONS INCLUDED IN JUDICIAL CIRCUITS
First Appellate Circuit—Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester	First Judicial Circuit—Dorchester, Somerset, Wicomico, and Worcester
Second Appellate Circuit—Baltimore and Harford	Second Judicial Circuit—Caroline, Cecil, Kent, Queen Anne's, and Talbot
Third Appellate Circuit—Allegany, Frederick, Garrett, Montgomery, and Washington	Third Judicial Circuit—Baltimore and Harford
Fourth Appellate Circuit—Calvert, Charles, Prince George's, and Saint Mary's	Fourth Judicial Circuit--Allegany, Garrett, and Washington
Fifth Appellate Circuit—Anne Arundel, Carroll, and Howard	Fifth Judicial Circuit—Anne Arundel, Carroll, and Howard
Sixth Appellate Circuit—Baltimore City	Sixth Judicial Circuit—Frederick and Montgomery
	Seventh Judicial Circuit—Calvert, Charles, Prince George's, and Saint Mary's
	Eighth Judicial Circuit—Baltimore City

JURISDICTIONS INCLUDED IN DISTRICT COURT DISTRICTS

First District—Baltimore City	Seventh District—Anne Arundel
Second District—Dorchester, Somerset, Wicomico, and Worcester	Eighth District—Baltimore
Third District—Caroline, Cecil, Kent, Queen Anne's, and Talbot	Ninth District—Harford
Fourth District—Calvert, Charles, and Saint Mary's	Tenth District—Carroll and Howard
Fifth District—Prince George's	Eleventh District—Frederick and Washington
Sixth District—Montgomery	Twelfth District—Allegany and Garrett

Members of the Maryland Judiciary
as of September 1, 1990

THE APPELLATE COURTS

The Court of Appeals

Hon. Robert C. Murphy, CJ (2)
Hon. John C. Eldridge (5)
Hon. Harry A. Cole (6)
Hon. Lawrence F. Rodowsky (6)
Hon. John F. McAuliffe (3)
Hon. Howard S. Chasanow (4)
Vacancy (1)

The Court of Special Appeals

Hon. Richard P. Gilbert, CJ (6)
Hon. Charles E. Moylan, Jr. (At large)
Hon. Alan M. Wilner (At large)
Hon. John J. Bishop, Jr. (At large)
Hon. John J. Garrity (4)
Hon. Paul E. Alpert (2)
Hon. Theodore G. Bloom (5)
Hon. Rosalyn B. Bell (At large)
Hon. Robert L. Karwacki (At large)
Hon. Robert M. Bell (6)
Hon. William W. Wenner (3)
Hon. Robert F. Fischer (At large)
Hon. Dale R. Cathell (1)

THE CIRCUIT COURTS

First Judicial Circuit
*Hon. Alfred T. Truitt, Jr., CJ
Hon. Theodore R. Eschenburg
Hon. Donald F. Johnson
Hon. D. William Simpson
Hon. Richard D. Warren
Hon. Thomas C. Groton, III
Hon. Daniel M. Long

Second Judicial Circuit
Hon. Donaldson C. Cole, Jr., CJ
*Hon. J. Owen Wise
Hon. Edward D.E. Rollins, Jr.
Hon. John W. Sause, Jr.
Hon. William S. Horne
Vacancy

Third Judicial Circuit
*Hon. Edward A. DeWaters, Jr., CJ
Hon. William R. Buchanan, Sr.
Hon. J. William Hinkel
Hon. John F. Fader, II
Hon. Cypert O. Whitfill
Hon. Leonard S. Jacobson
Hon. William O. Carr
Hon. Joseph F. Murphy, Jr.
Hon. James T. Smith, Jr.
Hon. Dana M. Levitz
Hon. John G. Turnbull, II
Hon. Maurice W. Baldwin, Jr.
Hon. Stephen M. Waldron
Hon. Barbara Kerr Howe
Hon. Alfred L. Brennan, Sr.
Vacancy
Vacancy
Vacancy
Vacancy

Fourth Judicial Circuit
Hon. Frederick A. Thayer, III, CJ
Hon. John P. Corderman
*Hon. Frederick C. Wright, III
Hon. J. Frederick Sharer
Hon. Daniel W. Moylan
Hon. Gary G. Leasure

Fifth Judicial Circuit
Hon. Bruce C. Williams, CJ
*Hon. Raymond G. Thieme, Jr.
Hon. Donald J. Gilmore
Hon. H. Chester Goudy, Jr.
Hon. Luke K. Burns, Jr.
Hon. Eugene M. Lerner
Hon. Martin A. Wolff
Hon. J. Thomas Nissel
Hon. James C. Cawood, Jr.
Hon. Raymond J. Kane, Jr.
Hon. Robert H. Heller, Jr.
Hon. Cornelius F. Sybert, Jr.
Hon. Warren B. Duckett, Jr.
Hon. James B. Dudley
Hon. Raymond E. Beck, Sr.
Hon. Lawrence H. Rushworth

Sixth Judicial Circuit
*Hon. John J. Mitchell, CJ
Hon. William M. Cave
Hon. James S. McAuliffe, Jr.
Hon. Irma S. Raker
Hon. William C. Miller
Hon. L. Leonard Ruben
Hon. DeLawrence Beard
Hon. Clater W. Smith, Jr.
Hon. G. Edward Dwyer, Jr.
Hon. Peter J. Messitte
Hon. J. James McKenna
Hon. Mary Ann Stepler
Hon. Paul H. Weinstein
Hon. Vincent E. Ferretti, Jr.
Hon. Paul A. McGuckian
Hon. Jerry H. Hyatt
Vacancy

Seventh Judicial Circuit
*Hon. Ernest A. Loveless, Jr., CJ
Hon. William H. McCullough
Hon. Jacob S. Levin
Hon. George W. Bowling
Hon. Robert J. Woods
Hon. Vincent J. Femia
Hon. Robert H. Mason
Hon. Audrey E. Melbourne
Hon. David Gray Ross
Hon. James M. Rea
Hon. Richard J. Clark
Hon. Arthur M. Ahalt
Hon. G.R. Hovey Johnson
Hon. Joseph S. Casula
Hon. Darlene G. Perry
Hon. John H. Briscoe
Hon. Graydon S. McKee, III
Hon. Thomas A. Rymer
Hon. William D. Missouri
Hon. Robert C. Nalley
Hon. James P. Salmon
Hon. Marvin S. Kaminetz
Hon. Steven I. Platt
Vacancy

*Circuit Administrative Judge

THE CIRCUIT COURTS (continued)

Eighth Judicial Circuit
Hon. Robert I.H. Hammerman, CJ
Hon. David Ross
*Hon. Joseph H.H. Kaplan
Hon. Elsbeth Levy Bothe
Hon. Joseph I. Pines
Hon. John Carroll Byrnes
Hon. Kenneth Lavon Johnson
Hon. Thomas Ward
Hon. Edward J. Angeletti
Hon. Arrie W. Davis
Hon. Thomas E. Noel
Hon. David B. Mitchell
Hon. Hilary D. Caplan
Hon. Kathleen O'Ferrall Friedman
Hon. Marvin B. Steinberg
Hon. Clifton J. Gordy, Jr.
Hon. Mabel H. Hubbard
Hon. John N. Prevas
Hon. Ellen M. Heller
Hon. Roger W. Brown
Hon. John C. Themelis
Hon. Richard T. Rombro
Hon. Ellen L. Hollander
Vacancy
Vacancy

*Circuit Administrative Judge

THE DISTRICT COURT OF MARYLAND

District Court
Hon. Robert F. Sweeney, CJ

District 1
Hon. Carl W. Bacharach
Hon. Robert J. Gerstung
Hon. Sol Jack Friedman
Hon. Martin A. Kircher
Hon. Alan M. Resnick
*Hon. Joseph A. Ciotola
Hon. Richard O. Motsay
Hon. Alan B. Lipson
Hon. George J. Helinski
Hon. Mary Ellen T. Rinehardt
Hon. Paul A. Smith
Hon. Charlotte M. Cooksey
Hon. H. Gary Bass
Hon. Keith E. Mathews
Hon. Askew W. Gatewood, Jr.
Hon. Alan J. Karlin
Hon. Carol E. Smith
Hon. David W. Young
Hon. Theodore B. Oshrine
Hon. Andre M. Davis
Hon. Joseph P. McCurdy, Jr.
Hon. Kathleen M. Sweeney
Hon. Teaette S. Price

District 2
Hon. Robert D. Horsey
*Hon. John L. Norton, III
Hon. Robert S. Davis
Hon. Richard R. Bloxom
Vacancy

District 3
Hon. L. Edgar Brown
Hon. John T. Clark, III
Hon. H. Thomas Sisk, Jr.
Hon. William H. Adkins, III
*Hon. James C. McKinney
Hon. Harry J. Goodrick

District 4
Hon. C. Clarke Raley
*Hon. Larry R. Holtz
Hon. Gary S. Gasparovic
Vacancy

District 5
Hon. Sylvania W. Woods
Hon. Francis A. Borelli
Hon. Theresa A. Nolan
Hon. C. Philip Nichols, Jr.
Hon. Gerard F. Devlin
Hon. John F. Kelly, Sr.
*Hon. Larnzell Martin, Jr.
Hon. Thurman H. Rhodes
Hon. Frank M. Kratovil
Hon. Sherrie L. Krauser
Vacancy

District 6
Hon. Douglas H. Moore, Jr.
Hon. John C. Tracey
*Hon. Thomas A. Lohm
Hon. Henry J. Monahan
Hon. Louis D. Harrington
Hon. Edwin Collier
Hon. Cornelius J. Vaughey
Hon. James L. Ryan
Hon. Ann S. Harrington
Vacancy
Vacancy

District 7
*Hon. Thomas J. Curley
Hon. Robert N. Lucke, Sr.
Hon. Donald M. Lowman
Hon. Clayton Greene, Jr.
Hon. Joseph P. Manck
Hon. Martha F. Rasin
Hon. Michael E. Loney

District 8
Hon. Gerard W. Wittstadt
Hon. John P. Rellas
*Hon. John H. Garmer
Hon. Patricia S. Pytash
Hon. A. Gordon Boone, Jr.
Hon. Christian M. Kahl
Hon. Charles E. Foos, III
Hon. Lawrence R. Daniels
Hon. Thomas J. Bollinger, Sr.
Hon. I. Marshall Seidler
Hon. John C. Coolahan
Hon. Michael L. McCampbell

District 9
*Hon. John S. Landbeck, Jr.
Hon. Lawrence S. Lanahan, Jr.
Hon. John L. Dunnigan
Vacancy

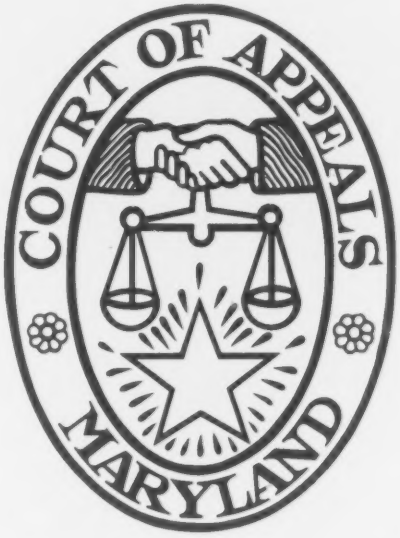
District 10
Hon. Donald M. Smith
*Hon. Francis M. Arnold
Hon. R. Russell Sadler
Hon. James N. Vaughan
Hon. Lenore R. Gelfman
Hon. Louis A. Becker, III

District 11
Hon. Darrow Glaser
Hon. James F. Strine
*Hon. Herbert L. Rollins
Hon. Frederick J. Bower

District 12
*Hon. Paul J. Stakem
Hon. Jack R. Turney
Hon. W. Timothy Finan

*District Administrative Judge

THE COURT OF APPEALS



The Court of Appeals

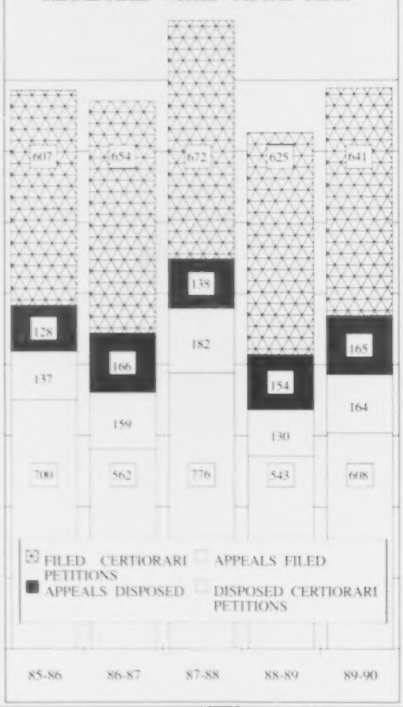
Introduction

The Court of Appeals is the highest tribunal in the State of Maryland. It was created by the Constitution of 1776. In the early years of its existence, the Court sat in various locations throughout the State, but since 1851, it has sat only in Annapolis. The Court is composed of seven judges, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). After initial appointment by the Governor and confirmation by the Senate, members of the Court run for office on their records, unopposed. If a judge's retention in office is rejected by the voters or there is a tie vote, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland judicial system.

As a result of legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari, a discretionary review process. That process has resulted in the reduction of the Court's formerly excessive workload to a more manageable level, thus allowing the Court to devote more time to the most important and far-reaching issues.

The Court may review cases already decided by the Court of Special Appeals or bring up for review cases filed in that court before they are decided. In addition, the Court of Appeals has exclusive jurisdiction over appeals in which a sentence of death is imposed. The Court of Appeals may also review cases from the circuit court level if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure which will have the force of law. In addition, it admits persons to the practice of law, reviews recommendations of the State Board of Law Examiners, and conducts disciplinary proceedings involving members of the bench and bar. The Court of Appeals may also decide questions of law certified by federal and other state appellate courts.

TABLE CA-1
COURT OF APPEALS
APPEALS ACTUALLY FILED AND TERMINATED WITHIN FISCAL YEAR



A comparative view of the last five fiscal years with respect to Regular Docket and Certiorari Petition filings and dispositions is depicted in Table CA-1. As can be expected, when certiorari petition filings increased, regular docket filings increased as well. The same held true when petition filings decreased. Filings and dispositions in both categories have fluctuated over the last five fiscal years with no real discernible trend. Certiorari petition filings increased by 2.6 percent during Fiscal 1990 as did dispositions, increasing by 12.0 percent. Following suit, regular docket filings increased by 26.2 percent while dispositions increased by 7.1 percent.

Filings

The incoming workload for Fiscal Year 1990 in the Court of Appeals was formed by matters filed on the September 1989 docket. Filings received from March 1 through February 28 were entered on the September Term docket for argument during the period from the second Monday in September to the beginning of the next term. In this report, filings are counted by Term, March 1 through February 28, while dispositions are counted by fiscal year, July 1 through June 30 in the appellate courts.

During the September 1989 Term, the Court docketed a total of 887 filings. That number included 171 regular docket filings, 626 petitions for certiorari, 48 attorney grievance proceedings, and 42 miscellaneous appeals of which 10 represented bar admissions proceedings.

A party may file a petition for certiorari to review any case or

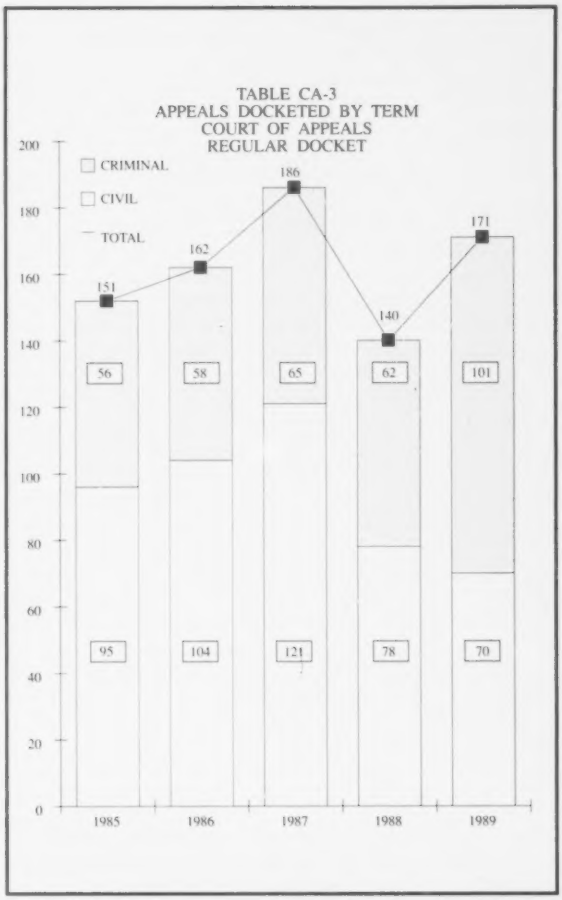
proceeding pending in or decided by the Court of Special Appeals upon appeal from a circuit court or an orphan's court. The Court grants those petitions it feels are "desirable and in the public interest." Certiorari also may be granted, under certain circumstances, to cases that have been appealed to a circuit court from the District Court after initial appeal has been heard in the circuit court. The Court considered 608 petitions for certiorari during Fiscal 1990, of which 113 or 18.6 percent were granted. Of the 608 petitions considered, 298 (49 percent) were of a civil nature while the remaining 310 (51 percent) were criminal in nature (Table CA-6).

In the Court of Appeals, the regular docket is comprised of cases that have been granted certiorari, as well as cases that were pending in the Court of Special Appeals that the Court decided to hear on its own motion. The Court of Appeals conducts a monthly review of appellants' briefs from pending cases in the Court of Special Appeals to identify cases it feels are suitable for consideration in the higher court.

During the 1989 Term, the Court of Appeals docketed 171 cases, an increase of 22.1 percent over the previous term (Table CA-3). Included in the docketed appeals were

TABLE CA-2
ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF APPEALS
1989 TERM

FIRST APPELLATE CIRCUIT	**18**	**(10.5%)**
Caroline County	1	
Cecil County	4	
Dorchester County	2	
Kent County	3	
Queen Anne's County	0	
Somerset County	1	
Talbot County	2	
Wicomico County	1	
Worcester County	4	
SECOND APPELLATE CIRCUIT	**19**	**(11.1%)**
Baltimore County	12	
Harford County	7	
THIRD APPELLATE CIRCUIT	**35**	**(20.5%)**
Allegany County	2	
Frederick County	4	
Garrett County	1	
Montgomery County	25	
Washington County	3	
FOURTH APPELLATE CIRCUIT	**28**	**(16.4%)**
Calvert County	1	
Charles County	4	
Prince George's County	22	
St. Mary's County	1	
FIFTH APPELLATE CIRCUIT	**28**	**(16.4%)**
Anne Arundel County	18	
Carroll County	5	
Howard County	5	
SIXTH APPELLATE CIRCUIT	**43**	**(25.1%)**
Baltimore City	43	
TOTAL	**171**	**(100.0%)**



70 (40.9 percent) criminal cases and 101 (59.1 percent) civil cases which included law, equity, and juvenile cases. With respect to jurisdictional contribution, Baltimore City contributed the greatest number of cases, with 43 or 25.1 percent, followed by Montgomery County with 25 or 14.6 percent. Of the other large counties, Prince George's contributed 22 cases, followed by Anne Arundel and Baltimore Counties with 18 and 12 cases, respectively. The remaining 19 counties contributed a total of 51 (29.8 percent) cases (Table CA-2).

Dispositions

The Court of Appeals disposed of 852 total filings during Fiscal Year 1990, an increase of 11.5 percent over the previous year. Included in the disposed cases were 165 regular docket cases; 608 petitions for certiorari; 55 attorney grievance proceedings; and 24 miscellaneous cases, including five bar admissions proceedings (Table CA-4). In addition, the Court also admitted 1,242 persons to the practice of law, including 99 attorneys from other jurisdictions.

During Fiscal 1990, the Court of Appeals disposed of 165 cases on its regular docket. There were 20 cases from the 1987 Term; 55 cases from the 1988 Term; 87 cases from the 1989 Term; and 3 cases from the 1990 Term. The 165 disposed cases included 92 (55.8 percent) civil cases, two (1.2 percent) juvenile cases, and 71 (43.0 percent) criminal cases. There were 53 instances in which the Court affirmed the decision of the lower court, 69 reversals of the lower court's decision, and 20 instances in which the earlier decision was vacated and remanded. There were 10 cases affirmed in part and reversed in part, 3 cases were affirmed in part and vacated in part, while 2 cases were modified and affirmed. The remaining 8 cases were dismissed with 2 cases having an opinion filed, 5 cases without an opinion, and 1 case was dismissed prior to argument or submission (Table CA-7).

While attempting to dispose of the cases in the most expeditious manner, the Court expended an average of 3.6 months from the time certiorari was granted to hear arguments or to dispose of a case without an argument. There was an average time of 7.5 months from the argument of a case to the rendering of a decision and the entire process from the granting of certiorari to the final decision averaged 10.5 months in Fiscal 1990 (Table CA-8). The Court of Appeals handed down 142 majority opinions, including 6 per curiam opinions. Also, there were 18 dissenting opinions, 3 concurring opinions, and 2 opinions that were both dissenting and concurring in part.

TABLE CA-4
FILINGS AND DISPOSITIONS
COURT OF APPEALS
JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Filings	Dispositions
Regular Docket	164	165
Petitions for Certiorari	641	608
Attorney Grievance Proceedings	54	55
Bar Admissions Proceedings	10	5
Certified Questions of Law	5	0
Miscellaneous Appeals	25	19
Total	**899**	**852**

Pending

There were 136 cases pending before the Court of Appeals at the close of Fiscal 1990. The pending cases included one from the 1987 Term, 19 from the 1988 Term, 78 from the 1989 Term, and 38 cases from the 1990 Term. For the most part, those cases pending from the 1990 Term were added to the docket at the close of the fiscal year and were scheduled to be argued in September. The pending cases were comprised of 89 (65.4 percent) which were of a civil nature, and 47 (34.6 percent) cases which were criminal in nature. There were no juvenile cases pending at the close of Fiscal 1990 (Table CA-5).

TABLE CA-5

CASES PENDING
COURT OF APPEALS

Regular Docket
June 30, 1990

	Civil	Juvenile	Criminal	Total
Origin				
1987 Docket	1	0	0	1
1988 Docket	9	0	10	19
1989 Docket	50	0	28	78
1990 Docket	29	0	9	38
Total	**89**	**0**	**47**	**136**

Trends

After experiencing a decrease during the 1988 Term, the number of total filings in the Court of Appeals has again, for the eighth time in the last nine terms, surpassed the 850 mark. There were 598 petitions for certiorari filed during the 1988 Term, a decrease of 12.3 percent from the previous term, which resulted in a decrease of overall filings of 13.1 percent. During the 1989 Term, petitions for certiorari filed increased by 4.7 percent, resulting in a 10.5 percent increase in overall filings. The trend over the last nine years shows that when certiorari petitions fluctuated so did overall filings in the same direction. Also fluctuating over the last five fiscal years with no discernible trend has been disposed certiorari petitions along with the number of those petitions being granted. Dispositions have ranged from a low of 543 during Fiscal 1989 to a high of 776 during Fiscal 1988 while the number granted ranged from 14.9 percent to the current level of 18.6 percent.

The judicial system is challenged continually with the duty of interpreting and applying new laws to the many social, civil, and criminal issues confronting society. Because of the complexity of the legislation being adopted, as well as the new and inventive manner in which many civil and criminal acts are carried out, the lower courts will no doubt be looking to the Court of Appeals for precedent-setting opinions to be used as guidelines in the adjudication process. The disposition of those issues will require more time and effort. The Court, as evidenced by the average decrease in elapsed time of cases, as well as the decrease in pending cases, is making great strides in dealing with its cases in an effective manner. It took an average of 10.5 months during Fiscal 1990 from the time certiorari was granted to the rendering of a decision, an average decrease of 1.4 months or 11.8 percent from the previous fiscal year. In addition, there were fewer cases pending at the close of the fiscal year, from 167 in Fiscal 1988 to 141 in Fiscal 1989 and 136 in Fiscal 1990. The Court is continuing to remain current with its workload despite the complexity of the issues with which it is confronted.

TABLE CA-6

FIVE-YEAR COMPARATIVE TABLE
PETITION DOCKET DISPOSITIONS
(PETITIONS FOR CERTIORARI)

FISCAL 1986—FISCAL 1990

Petitions	Granted	Dismissed	Denied	Withdrawn	Total	Percentage of Certiorari Petitions Granted
Civil						
1985-86	61	2	259	3	325	18.8%
1986-87	62	4	216	4	286	21.7%
1987-88	84	5	311	1	401	20.9%
1988-89	37	1	221	1	260	14.2%
1989-90	66	4	228	0	298	22.1%
Criminal						
1985-86	43	1	327	4	375	11.5%
1986-87	42	3	230	1	276	15.2%
1987-88	56	1	317	1	375	14.9%
1988-89	54	2	227	0	283	19.1%
1989-90	47	3	260	0	310	15.2%

TABLE CA-7

DISPOSITION OF COURT OF APPEALS CASES

Regular Docket

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Civil	Juvenile	Criminal	Total
Affirmed	31	0	22	53
Reversed	31	0	38	69
Dismissed—Opinion Filed	1	1	0	2
Dismissed Without Opinion	4	0	1	5
Remanded Without Affirmance or Reversal	0	0	0	0
Vacated and Remanded	15	1	4	20
Modified and Affirmed	2	0	0	2
Affirmed in Part, Reversed in Part	5	0	5	10
Affirmed in Part, Vacated in Part	2	0	1	3
Dismissed Prior to Argument or Submission	1	0	0	1
Certified Question Answered	0	0	0	0
Transferred to Court of Special Appeals	0	0	0	0
Rescinded	0	0	0	0
Origin				
1987 Docket	11	0	9	20
1988 Docket	32	0	23	55
1989 Docket	47	2	38	87
1990 Docket	2	0	1	3
Total Cases Disposed During Fiscal 1990	**92**	**2**	**71**	**165**

TABLE CA-8

AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF APPEALS

Regular Docket

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Certiorari Granted to Argument or to Disposition Without Argument[a]	Argument to Decision[b]	Certiorari Granted to Decision[a]
Days	107	226	315
Months	3.6	7.5	10.5
Number of Cases	165	152	165

[a]Includes all cases disposed in Fiscal 1990.

[b]Includes all cases disposed in Fiscal 1990 which were argued.

TABLE CA-9

FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF APPEALS

(In Days and Months)

Docket	Original Filing to Disposition in Circuit Court	Disposition in Circuit Court to Docketing in Court of Appeals
1985	303	124
	10.1	4.1
1986	357	128
	11.9	4.3
1987	356	135
	11.9	4.5
1988	327	101
	10.9	3.4
1989	322	126
	10.7	4.2

THE COURT OF SPECIAL APPEALS

The Court of Special Appeals

Introduction

The Court of Special Appeals was created in 1966 as Maryland's intermediate appellate court. Its creation was the result of a rapidly growing caseload in the Court of Appeals which had caused a substantial backlog to develop in that Court.

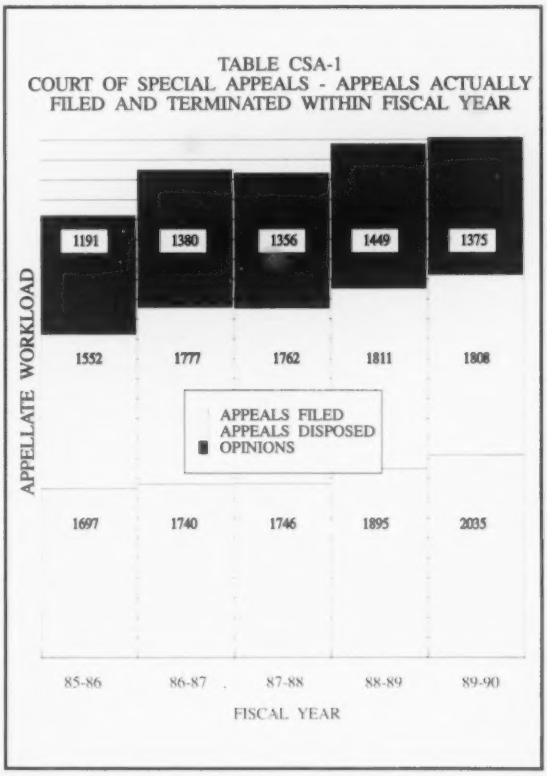
The Court of Special Appeals sits in Annapolis and is composed of thirteen members, including a chief judge and twelve associates. One member of the Court is elected from each of the first five Appellate Judicial Circuits while two members are elected from the Sixth Appellate Judicial Circuit (Baltimore City). The remaining six members are elected from the State at large. As in the Court of Appeals, members of the Court of Special Appeals are appointed by the Governor and confirmed by the Senate. They also run on their records without opposition for ten-year terms. The Governor designates the Chief Judge of the Court of Special Appeals.

Unless otherwise provided by law, the Court of Special Appeals has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order or other action of a circuit court and generally hears cases appealed directly from the circuit courts. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges of the Court. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, inmate grievances, and appeals from criminal guilty pleas.

Filings

The Court of Special Appeals received a majority of its Fiscal Year 1989 workload from appeals docketed on the September 1989 Term docket. Filings received from March 1 through February 28 were entered on the September Term docket for argument beginning the second Monday in September and ending the last of June. As in the Court of Appeals, for purposes of this report, filings are counted by term, March 1 through February 28, while dispositions are counted by fiscal year, July 1 through June 30.

TABLE CSA-1
COURT OF SPECIAL APPEALS - APPEALS ACTUALLY FILED AND TERMINATED WITHIN FISCAL YEAR



The Court of Special Appeals received a total of 2,006 cases during the 1989 Term, an increase of 9 percent over the 1,841 filings received during the 1988 Term. For the second consecutive year, the Court docketed more criminal than civil filings. There were 1,041 (51.9 percent) criminal cases docketed and 965 (48.1 percent) civil cases docketed (Table CSA-3). Increasing steadily since the 1985 Term, criminal filings increased by more than 12 percent during the 1989 Term. The increase in criminal filings is attributable to the increase in overall filings which also have increased steadily since the 1985 Term. Two years after the adoption of § 12-302 of the Courts Article and Maryland Rule 1096, which removed the right of direct appeal in criminal cases where a guilty plea was entered, the initial increase in criminal filings was realized. The adoption of the aforementioned rule made it necessary to file an application for leave to appeal in instances where a guilty plea was entered in criminal cases. It is now at the discretion of the Court whether or not to place the case on the regular docket (Table CSA-5). Because of the steady rise in criminal cases over the last five years, the number filed has nearly surpassed the level of the September 1982 Term which was the year before the review of guilty pleas was changed.

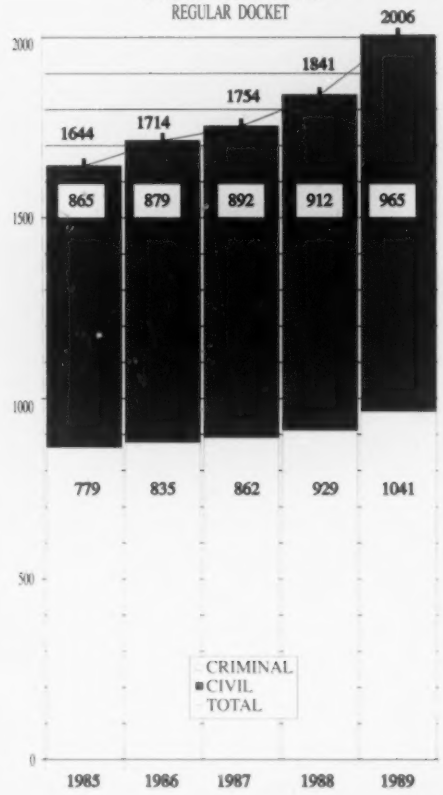
In an attempt to manage its civil workload, the Court of Special Appeals has used the procedure of prehearing conferences. The purpose of the conferences is to identify those cases that are suitable for resolution by the parties. Since the 1980 Term, the number of civil filings reported does not include civil notices of appeal which were filed in the clerks' offices pursuant to Maryland

Rules 1022-1024. These appeals were either scheduled for prehearing conference or proceeded through the regular appellate process as stipulated in Maryland Rule 1024.a.1. Cases finally disposed of by prehearing conference are never placed on the regular docket or listed as filings. Cases not finally disposed of by this process will be placed on subsequent dockets and then will be included among filings. An information report, or a summarization of the case below and the action taken by the circuit court, is filed in each civil case where an appeal has been noted. The Court of Special Appeals received a total of 1,090 information reports during the 1989 Term, a decrease of 4.3 percent from the previous term. Of the 1,090 information reports received, 254 (23.3 percent) were assigned for prehearing conference compared to 32.5 percent assigned for conference during the 1988 Term (Table CSA-4). As a result of the prehearing conferences, 157 cases (61.8 percent) proceeded without limitation of issues while one case (0.4 percent) had its issues limited. Sixty-six (26 percent) cases were dismissed or settled before, at, or as a result of the conferences, and 16 cases (6.3 percent) were dismissed or remanded after the conferences. There were eight cases (3.1 percent) that proceeded with their appeals expedited while the remaining 6 cases (2.4 percent) were still pending at the close of the term (Table CSA-5).

TABLE CSA-2
ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF SPECIAL APPEALS
1989 TERM

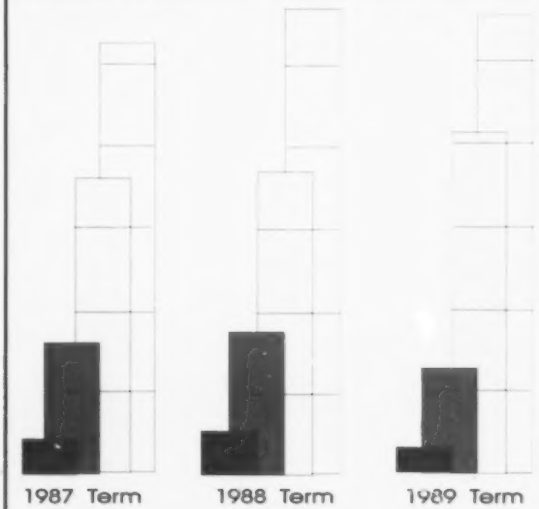
FIRST APPELLATE CIRCUIT	**191**	**(9.5%)**
Caroline County	12	
Cecil County	29	
Dorchester County	25	
Kent County	12	
Queen Anne's County	8	
Somerset County	10	
Talbot County	22	
Wicomico County	47	
Worcester County	26	
SECOND APPELLATE CIRCUIT	**271**	**(13.5%)**
Baltimore County	218	
Harford County	53	
THIRD APPELLATE CIRCUIT	**402**	**(20.0%)**
Allegany County	15	
Frederick County	42	
Garrett County	8	
Montgomery County	282	
Washington County	55	
FOURTH APPELLATE CIRCUIT	**423**	**(21.1%)**
Calvert County	8	
Charles County	38	
Prince George's County	354	
St. Mary's County	23	
FIFTH APPELLATE CIRCUIT	**234**	**(11.7%)**
Anne Arundel County	136	
Carroll County	32	
Howard County	66	
SIXTH APPELLATE CIRCUIT	**485**	**(24.2%)**
Baltimore City	485	
TOTAL	**2,006**	**(100.0%)**

TABLE CSA-3
APPEALS DOCKETED BY TERM
COURT OF SPECIAL APPEALS
REGULAR DOCKET



With respect to origin, Baltimore City once again contributed the greatest number of cases (485 or 24.2 percent) followed by Prince George's County contributing 354 cases or 17.6 percent of the total cases docketed for the 1989 Term. Of the three remaining larger jurisdictions, Montgomery County contributed 282 (14.1 percent) followed by Baltimore and Anne Arundel Counties with 218 (10.9 percent) and 136 cases (6.8 percent), respectively. Collectively, the First Appellate Circuit which is comprised of the entire Eastern Shore of Maryland, continues to contribute the fewest number of appeals from year to year with 191 or 9.5 percent (Table CSA-2). Approximately 18 percent of the trials conducted in the circuit courts during Fiscal 1989 were docketed on the 1989 Term regular docket (Table CSA-9). That figure represents a slightly higher ratio than recorded in recent years.

TABLE CSA-4
PREHEARING CONFERENCE REPORTS
COURT OF SPECIAL APPEALS



Dispositions

During Fiscal 1990, the Court of Special Appeals disposed of 1,808 cases on its regular docket, a slight decrease of three cases or 0.2 percent from the previous term. There was one case disposed of from the 1987 Term; 112 from the 1988 Term; 1,628 from the 1989 Term; and 67 cases from the 1990 Term. The disposed cases included 881 (48.7 percent) civil cases, 911 (50.4 percent) criminal cases, and 16 (0.9 percent) cases that were of a juvenile nature (Table CSA-7).

In disposing of its cases, the Court affirmed 950 (52.5 percent) decisions of the lower court while reversing only 207 (11.4 percent) of the lower court's decisions. Criminal cases recorded the highest ratio of affirmances (599/911 or 65.8 percent) followed by juvenile cases (7/16 or 43.8 percent). Of the 881 disposed civil cases, 344 (39 percent) were affirmed. The Court also dismissed 387 cases prior to argument or submission, while 61 cases were transferred to the Court of Appeals. For a further breakdown of case disposition, refer to Table CSA-7.

In addition to disposing of cases on its regular docket, the Court of Special Appeals also disposed of 204 cases on its miscellaneous docket including 135 post conviction cases, 17 inmate grievances, and 52 "other" miscellaneous cases which included habeas corpus/bail cases, motions for stay of execution of order pending appeal, and appeals from criminal guilty pleas. The 204 dispositions on the miscellaneous docket represent an 11.3 percent decrease from the 230 cases disposed of on that docket during the previous fiscal year. Included in the dispositions were 19 instances in which the Court granted the applications for leave to appeal, as well as 144 denials. The Court also dismissed or transferred 39 applications for leave to appeal while remanding another two cases. Of the 135 post conviction applications, seven (5.2 percent) were granted and 94 (69.6 percent) were denied. Likewise, a majority of the "other" miscellaneous applications were denied (42 or 80.8 percent) while most of the inmate grievance applications for leave to appeal were granted (52.9 percent) (Table CSA-6).

The Court averaged 4.6 months from the docketing of a case to its argument or disposition without argument during Fiscal 1990 compared to 4.2 months in Fiscal 1989. The average time elapsed between the argument and the final decision was less than one month which was consistent with the previous fiscal year (Table CSA-10). From the original filing to disposition in the lower court, there was an average elapsed time of 12.4 months. It took an average of 3.5 months to docket a case in the Court of Special Appeals after having disposed of it in the circuit court (Table CSA-11).

The Court handed down 1,345 majority opinions including 1,140 unreported and 205 reported opinions during Fiscal 1990. There were also nine concurring opinions and 21 dissenting opinions filed. Those figures compare with 1,420 majority opinions, as well as five concurring and 24 dissenting opinions filed in Fiscal 1989.

TABLE CSA-5

DISPOSITION OF INFORMATION REPORTS
ASSIGNED FOR PREHEARING CONFERENCE
1989 TERM

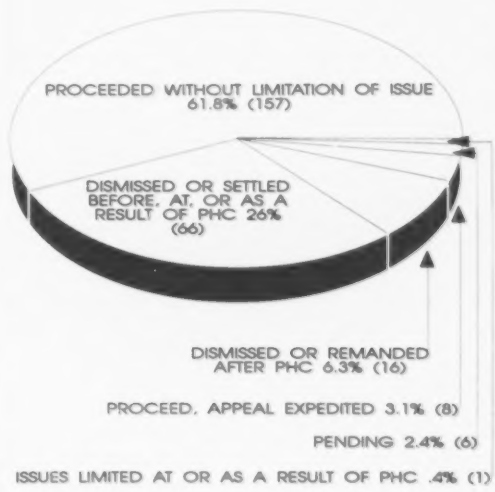

PROCEEDED WITHOUT LIMITATION OF ISSUE
61.8% (157)
DISMISSED OR SETTLED
BEFORE, AT, OR AS A
RESULT OF PHC 26%
(66)
DISMISSED OR REMANDED
AFTER PHC 6.3% (16)
PROCEED, APPEAL EXPEDITED 3.1% (8)
PENDING 2.4% (6)
ISSUES LIMITED AT OR AS A RESULT OF PHC .4% (1)

TABLE CSA-6

FIVE-YEAR COMPARATIVE TABLE
DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL
AND OTHER MISCELLANEOUS CASES

FISCAL 1986 — FISCAL 1990

	FISCAL 1986	FISCAL 1987	FISCAL 1988	FISCAL 1989	FISCAL 1990
POST CONVICTION—TOTAL	**113**	**196**	**121**	**162**	**135**
Granted	2	13	9	7	7
Dismissed or Transferred	17	18	8	34	32
Denied	89	161	102	120	94
Remanded	5	4	2	1	2
INMATE GRIEVANCE—TOTAL	**3**	**9**	**11**	**19**	**17**
Granted	1	1	1	2	9
Dismissed or Transferred	0	1	1	1	0
Denied	2	7	9	16	8
Remanded	0	0	0	0	0
OTHER MISCELLANEOUS—TOTAL	**69**	**89**	**88**	**49**	**52**
Granted	12	6	12	3	3
Dismissed or Transferred	5	14	6	10	7
Denied	51	69	69	35	42
Remanded	1	0	1	1	0

TABLE CSA-7

CASES DISPOSED BY
COURT OF SPECIAL APPEALS
Regular Docket
JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Civil	Juvenile	Criminal	Total
Affirmed	344	7	599	950
Reversed	121	2	84	207
Dismissed—Opinion Filed	38	0	5	43
Dismissed Without Opinion	0	0	0	0
Remanded Without Affirmance or Reversal	8	0	3	11
Vacated and Remanded	28	0	16	44
Affirmed in Part, Reversed in Part	44	1	60	105
Dismissed Prior to Argument or Submission	247	6	134	387
Transferred to Court of Appeals	51	0	10	61
Origin				
1987 Docket	1	0	0	1
1988 Docket	67	0	45	112
1989 Docket	769	16	843	1,628
1990 Docket	44	0	23	67
Total Cases Disposed During Fiscal 1990	**881**	**16**	**911**	**1,808**

Pending

The Court of Special Appeals had a total of 903 cases pending before it at the close of Fiscal Year 1990 on its regular docket, an increase of 29.4 percent over the previous fiscal year. Included in that figure were two cases from the 1988 Docket, 298 cases from the 1989 Docket, and 603 cases from the 1990 Docket. The cases pending from the 1989 Docket most likely were argued at the close of the fiscal year and awaiting opinions while those pending from the 1990 Docket are scheduled for argument during the current term. With respect to case type, there were 374 civil cases pending, eight juvenile cases, and 521 criminal cases pending (Table CSA-8).

TABLE CSA-8

PENDING CASES
COURT OF SPECIAL APPEALS

Regular Docket
June 30, 1990

	Civil	Juvenile	Criminal	Total
Origin				
1988 Docket	2	0	0	2
1989 Docket	127	2	169	298
1990 Docket	245	6	352	603
Total Cases Pending at Close of Fiscal 1990	**374**	**8**	**521**	**903***

*Includes pending cases to be heard in September Term 1990.

Trends

The Court of Special Appeals continued its upward trend by docketing 2,006 total filings on the September 1989 Term docket, an increase of 9.0 percent over the previous term. The past term marked the fifth consecutive year in which an increase, not only in total filings, but in both criminal and civil filings was noted. Criminal filings have increased by 33.6 percent since the 1985 Term while civil filings have increased by 11.6 percent during the same period of time. Total filings have increased by 22 percent since the 1985 Term (Table CSA-3).

Although the Court has attempted to manage its workload through the enactment of Chapter 295 of the 1983 Acts which had the effect of allowing cases involving a review of judgment following a guilty plea to be treated as discretionary rather than as an appeal of right, as well as the implementation of the prehearing conferences which attempt to settle civil cases or at least limit the issues prior to final preparation, filings have continued to rise steadily. When Chapter 295 of the 1983 Acts was first enacted, criminal filings decreased sharply; however, within two years they were once again on the increase and now are almost at the pre-enactment level (1,107 criminal filings during the 1982 Term compared to 1,041 during the 1989 Term). The decrease in civil filings was not as pronounced; however, they too decreased only to rise steadily within a few years.

The steady increase in filings in the Court of Special Appeals, particularly in the criminal area, can be attributed to the overall increase in crime especially in illegal drug activity. There also has been increased appeal activity surrounding the civil areas of malpractice and contract dispute. With the passage of new laws to govern certain criminal and civil activity, there tend to be legal loopholes that force the issues to be argued in the appellate courts where precedent-setting decisions are handed down. Because of that, many citizens are opting to exercise their right to appeal.

The Court of Special Appeals, in all likelihood, will continue to experience a steady increase in overall filings with the increase in criminal filings being more significant in the years to come.

TABLE CSA-9

RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS FILINGS ON 1989 REGULAR DOCKET AND CIRCUIT COURT TRIALS IN FISCAL 1989

Jurisdiction	Court of Special Appeals 1989 Regular Docket	Circuit Court Fiscal 1989 Trials	Ratio Appeals to Trials
Kent County	12	21	.57
St. Mary's County	23	76	.30
Washington County	55	190	.29
Baltimore County	218	815	.27
Prince George's County	354	1,324	.27
Baltimore City	485	1,963	.25
Montgomery County	282	1,184	.24
Frederick County	42	180	.23
Carroll County	32	162	.20
Harford County	53	272	.19
Wicomico County	47	263	.18
Queen Anne's County	8	74	.11
Anne Arundel County	136	1,254	.11
Allegany County	15	139	.11
Dorchester County	25	248	.10
Howard County	66	723	.09
Charles County	38	441	.09
Garrett County	8	111	.07
Somerset County	10	138	.07
Calvert County	8	145	.06
Talbot County	22	372	.06
Worcester County	26	422	.06
Caroline County	12	226	.05
Cecil County	29	606	.05
TOTAL	**2,006**	**11,349**	**.18**

TABLE CSA-10

AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1989—JUNE 30, 1990 FISCAL 1990

	Docketing to Argument or to Disposition Without Argument[a]	Argument to Decision[b]
Days	138	28
Months	4.6	0.9
Number of Cases	1,808	1,355

[a]Includes all cases disposed in Fiscal 1990.
[b]Includes all cases disposed in Fiscal 1990 which were argued.

TABLE CSA-11

FIVE-YEAR COMPARATIVE TABLE AVERAGE TIME INTERVALS FOR FILING OF APPEALS ON THE REGULAR DOCKET COURT OF SPECIAL APPEALS

(In Days and Months)

Docket	Original Filing to Disposition in Court Below	Disposition in Circuit Court to Docketing in Court of Special Appeals
1985	389 13.0	121 4.0
1986	375 12.5	115 3.8
1987	391 13.0	108 3.6
1988	364 12.1	116 3.9
1989	373 12.4	104 3.5

THE CIRCUIT COURTS

The Circuit Courts

Introduction

The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county and all the additional powers and jurisdiction conferred by the Constitution and by law, except where by law jurisdiction has been limited or conferred upon another tribunal.

In each county of the State and in Baltimore City, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad, but generally it handles the major civil cases and more serious criminal matters. The circuit courts also decide appeals from the District Court and from certain administrative agencies.

The courts are grouped into eight geographical circuits. Each of the first seven circuits is comprised of two or more counties while the Eighth Judicial Circuit consists of Baltimore City. On January 1, 1983, the former Supreme Bench was consolidated into the Circuit Court for Baltimore City.

As of July 1, 1989, there were 116 circuit court judges with at least one judge for each county and 24 in Baltimore City. Unlike the other three court levels in Maryland, there is no chief judge who is administrative head of the circuit courts. However, there are eight circuit administrative judges appointed by the Chief Judge of the Court of Appeals who perform administrative duties in each of their respective circuits. They are assisted by county administrative judges.

Each circuit court judge is initially appointed to office by the Governor and must stand for election at the next general election following by at least one year the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar. The successful candidate is elected to a fifteen-year term of office.

Filings

During Fiscal Year 1990, circuit court filings increased by 7.1 percent, from 213,765 in Fiscal 1989 to the present level of 228,986 total filings. While increases were realized in the civil and juvenile areas, criminal filings decreased slightly. Reporting approximately 900 fewer filings, the criminal caseload decreased by 1.5 percent, from 61,330 in Fiscal 1989 to 60,428 filings in Fiscal 1990. With nearly 13,000 additional filings reported this fiscal year, civil case filings increased by 11 percent, from 116,099 in Fiscal 1989 to 128,893 in Fiscal 1990. Also increasing were juvenile filings (9.2 percent). There were 36,336 juvenile filings reported during Fiscal 1989 compared to 39,665 in Fiscal 1990, an increase of 3,329 additional filings (Table CC-3).

Civil filings comprised 56.3 percent of all of the filings reported during Fiscal 1990 (Table CC-7). Again this year, the five metropolitan jurisdictions contributed a majority of the filings with 94,768 or 73.5 percent. Within that metropolitan area, Baltimore City continues to report the greatest number of civil filings, 25,240 (19.6 percent) followed closely by Prince George's County with 23,629 or 18.3 percent of the total civil caseload for Fiscal 1990. Montgomery County reported 20,495 (15.9 percent) while Baltimore and Anne Arundel Counties accounted for 10.6 percent and 9.1 percent of all civil filings, respectively (Table CC-17). Categorically, the most significant increase in civil filings was in the area of contracts which increased by 59.6 percent or an additional 6,141 filings. That increase was realized primarily in Montgomery County which more than doubled in contract filings.

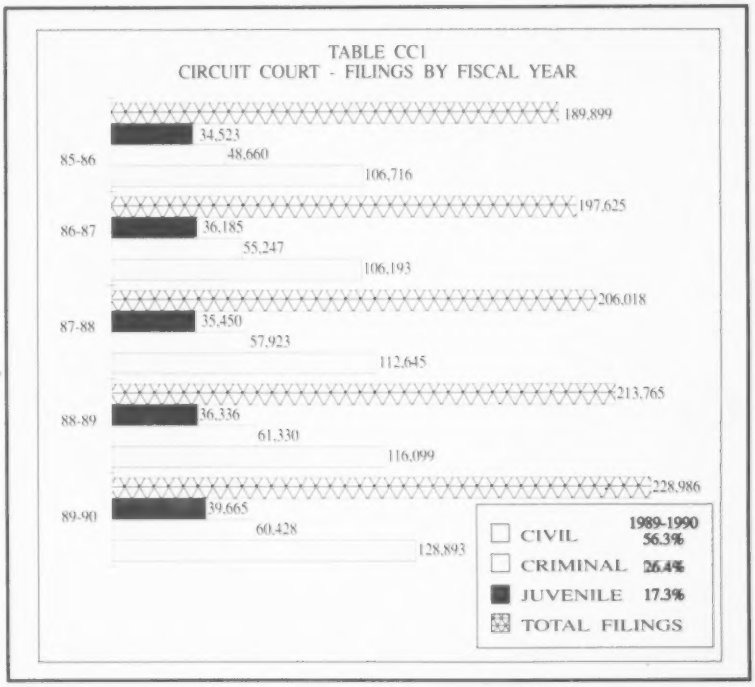


TABLE CC-2

FIVE-YEAR COMPARATIVE TABLE
ALL CASES
FILINGS AND TERMINATIONS

FISCAL 1986—FISCAL 1990

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1985-86		1986-87		1987-88		1988-89		1989-90	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**7,552**	**7,205**	**7,670**	**7,313**	**7,930**	**7,418**	**8,836**	**7,958**	**8,947**	**8,043**
Dorchester	1,837	1,960	1,865	1,722	1,726	1,533	1,800	1,278	1,792	1,683
Somerset	940	898	1,021	951	1,108	1,008	1,314	1,210	1,334	1,216
Wicomico	2,644	2,375	2,604	2,528	2,994	2,830	3,621	3,379	3,663	3,314
Worcester	2,131	1,972	2,180	2,112	2,102	2,047	2,101	2,091	2,158	1,830
SECOND CIRCUIT	**5,891**	**5,348**	**6,259**	**5,533**	**6,939**	**6,243**	**7,840**	**7,333**	**9,238**	**8,169**
Caroline	977	986	1,016	836	1,180	1,188	1,238	1,222	1,283	1,186
Cecil	2,376	2,121	2,549	2,245	2,897	2,476	3,194	2,979	3,817	3,031
Kent	551	427	668	648	643	570	661	575	883	746
Queen Anne's	944	909	951	898	1,045	1,000	1,306	1,210	1,654	1,585
Talbot	1,043	905	1,075	906	1,174	1,009	1,441	1,347	1,601	1,621
THIRD CIRCUIT	**28,487**	**23,661**	**29,792**	**25,179**	**31,968**	**28,912**	**33,334**	**29,395**	**33,713**	**29,639**
Baltimore	23,137	19,543	24,325	20,603	25,509	22,572	26,371	22,694	27,274	24,318
Harford	5,350	4,118	5,467	4,576	6,459	6,340	6,963	6,701	6,439	5,321
FOURTH CIRCUIT	**6,645**	**5,791**	**6,679**	**5,704**	**7,463**	**7,591**	**8,097**	**7,225**	**8,832**	**7,245**
Allegany	1,935	1,553	1,828	1,392	2,052	2,469	2,226	1,857	2,296	1,862
Garrett	684	692	747	745	906	889	949	882	1,063	946
Washington	4,026	3,546	4,104	3,567	4,505	4,233	4,922	4,486	5,473	4,437
FIFTH CIRCUIT	**26,681**	**22,005**	**25,329**	**23,393**	**25,611**	**21,247**	**26,808**	**21,073**	**31,675**	**29,299**
Anne Arundel	18,257	14,469	16,723	15,618	15,717	11,772	16,565	11,661	19,960	18,956
Carroll	3,603	3,327	3,757	3,314	4,049	3,811	4,247	3,959	4,563	3,955
Howard	4,821	4,209	4,849	4,461	5,845	5,664	5,996	5,453	7,152	6,388
SIXTH CIRCUIT	**24,526**	**20,887**	**26,011**	**18,601**	**27,972**	**23,534**	**30,860**	**25,367**	**33,916**	**22,557**
Frederick	3,163	2,802	3,388	2,841	3,805	3,284	4,159	3,272	4,787	4,437
Montgomery*	21,363	18,085	22,623	15,760	24,167	20,250	26,701	22,095	29,129	18,120
SEVENTH CIRCUIT	**39,422**	**33,191**	**43,583**	**40,649**	**45,077**	**40,742**	**46,932**	**41,021**	**49,807**	**43,734**
Calvert	1,585	1,582	1,536	1,488	1,695	1,600	1,793	1,779	2,913	2,206
Charles	3,804	3,549	4,710	4,124	4,733	4,257	4,825	4,137	4,741	3,884
Prince George's	32,542	26,660	34,525	32,711	35,314	31,943	36,533	31,928	38,931	34,718
St. Mary's	1,491	1,400	2,812	2,326	3,335	2,942	3,781	3,177	3,222	2,926
EIGHTH CIRCUIT	**50,695**	**41,471**	**52,302**	**38,296**	**53,058**	**47,716**	**51,058**	**42,802**	**52,858**	**45,815**
Baltimore City	50,695	41,471	52,302	38,296	53,058	47,716	51,058	42,802	52,858	45,815
STATE	**189,899**	**159,559**	**197,625**	**164,668**	**206,018**	**183,403**	**213,765**	**182,174**	**228,986**	**194,501**

*Includes juvenile causes processed at the District Court level.
NOTE: See note on Table CC-17.

TABLE CC-3

COMPARATIVE TABLE ON FILINGS IN THE CIRCUIT COURT

FISCAL 1989—FISCAL 1990

	CIVIL			CRIMINAL			JUVENILE			TOTAL		
	1988-89	1989-90	% Change	1988-89	1989-90	% Change	1988-89	1989-90	% Change	1988-89	1989-90	% Change
FIRST CIRCUIT												
Dorchester	998	1,049	5.1	651	553	-15.1	151	190	25.8	1,800	1,792	-0.4
Somerset	866	836	-3.5	390	391	0.3	58	107	84.5	1,314	1,334	1.5
Wicomico	2,076	2,068	-0.4	1,243	1,319	6.1	302	276	-8.6	3,621	3,663	1.2
Worcester	1,174	1,322	12.6	681	617	-9.4	246	219	-11.0	2,101	2,158	2.7
SECOND CIRCUIT												
Caroline	864	941	8.9	272	246	-9.6	102	96	-5.9	1,238	1,283	3.6
Cecil	2,017	2,236	10.9	811	953	17.5	366	628	71.6	3,194	3,817	19.5
Kent	417	603	44.6	202	215	6.4	42	65	54.8	661	883	33.6
Queen Anne's	751	1,134	51.0	352	307	-12.8	203	213	4.9	1,306	1,654	26.6
Talbot	729	859	17.8	501	479	-4.4	211	263	24.6	1,441	1,601	11.1
THIRD CIRCUIT												
Baltimore	13,111	13,673	4.3	9,782	9,739	-0.4	3,478	3,862	11.0	26,371	27,274	3.4
Harford	3,563	3,206	-10.0	2,548	2,453	-3.7	852	780	-8.5	6,963	6,439	-7.5
FOURTH CIRCUIT												
Allegany	1,527	1,601	4.8	386	420	8.8	313	275	-12.1	2,226	2,296	3.1
Garrett	652	707	8.4	146	199	36.3	151	157	4.0	949	1,063	12.0
Washington	2,745	3,178	15.8	1,355	1,576	16.3	822	719	-12.5	4,922	5,473	11.2
FIFTH CIRCUIT												
Anne Arundel	8,947	11,731	31.1	4,427	4,889	10.4	3,191	3,340	4.7	16,565	19,960	20.5
Carroll	1,983	2,332	17.6	1,583	1,665	5.2	681	566	-16.9	4,247	4,563	7.4
Howard	3,110	3,380	8.7	2,479	3,049	23.0	407	723	77.6	5,996	7,152	19.3
SIXTH CIRCUIT												
Frederick	2,397	2,756	15.0	1,373	1,508	9.8	389	523	34.4	4,159	4,787	15.1
Montgomery*	16,791	20,495	22.1	7,203	5,567	-22.7	2,707	3,067	13.3	26,701	29,129	9.1
SEVENTH CIRCUIT												
Calvert	943	1,123	19.1	577	1,494	158.9	273	296	8.4	1,793	2,913	62.5
Charles	2,953	2,892	-2.1	1,187	1,256	5.8	685	593	-13.4	4,825	4,741	-1.7
Prince George's	22,324	23,629	5.8	7,574	7,887	4.1	6,635	7,415	11.8	36,533	38,931	6.6
St. Mary's	2,094	1,902	-9.2	1,255	947	-24.5	432	373	-13.7	3,781	3,222	-14.8
EIGHTH CIRCUIT												
Baltimore City	23,067	25,240	9.4	14,352	12,699	-11.5	13,639	14,919	9.4	51,058	52,858	3.5
STATE	**116,099**	**128,893**	**11.0**	**61,330**	**60,428**	**-1.5**	**36,336**	**39,665**	**9.2**	**213,765**	**228,986**	**7.1**

*Includes juvenile causes processed at the District Court level.

Appeals from administrative agencies also increased somewhat significantly (22.9 percent), from 2,547 in Fiscal 1989 to 3,130 in Fiscal 1990 (Table CC-8).

In exercising jurisdiction formerly held by an orphan's court, the Circuit Court for Montgomery County reported that it conducted 153 hearings and signed 3,115 orders. The Circuit Court for Harford County, which exercises the same jurisdiction, recorded 20 hearings and signed 515 orders.

As previously mentioned, criminal filings decreased slightly during Fiscal Year 1990. Additionally, criminal filings accounted for 26.4 percent of overall filings compared to 28.7 percent of total filings during the previous fiscal year (Table CC-7). Contributing to the overall decrease in criminal filings were the decreases reported in Baltimore City and Montgomery County, especially in jury trial prayers in both jurisdictions. Criminal filings decreased by 11.5 percent in Baltimore City while jury trial prayers decreased by 94.7 percent (Table CC-5). Likewise, Montgomery County reported a decrease of 22.7 percent in overall criminal filings and a 40.4 percent decrease in jury trial prayers. A pilot program underway in the two aforementioned jurisdictions, as well as in Baltimore County, can be attributed to the decrease realized in jury trial prayers. With the program, any defendant requesting a jury trial in the District Court is immediately sent to the circuit court for a trial on the same day. The immediate availability of a jury trial prevents further delay and thus alleviates the backlog. As a result, many defendants are opting to stay in the District Court and plea bargain the case. Although the programs have been effective in reducing the number of jury trial prayers, they still represent a substantial portion of the criminal caseload. Also, indictment information filings continue to rise (10.7 percent) which accounts for the relatively slight decrease in overall criminal filings.

Baltimore City contributed the greatest number of criminal filings with 12,699 or 21 percent, followed by Baltimore County which reported 9,739 filings or 16.1 percent of the criminal filings. The remaining larger jurisdictions accounted for over 30 percent of the criminal filings with 18,343 (Table CC-22).

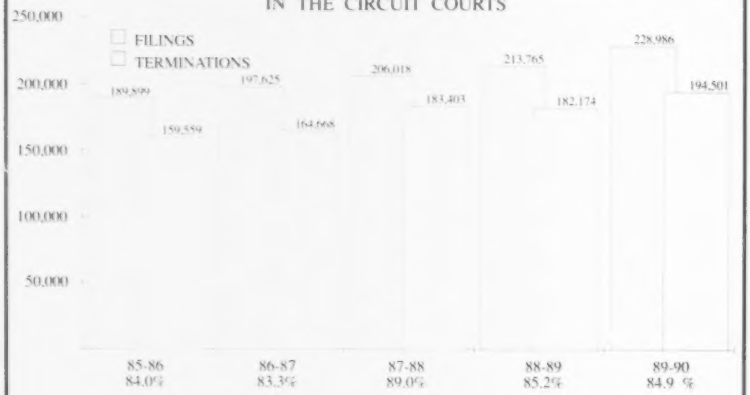
Juvenile filings, which represented 17.3 percent of the total filings, increased by 9.2 percent during Fiscal 1990. An increase was reported in each of the five major jurisdictions. Baltimore City contributed the greatest number of filings with 14,919 or 37.6 percent, representing an increase over the Fiscal 1989 level of 9.4 percent. Prince George's County followed with 7,415 juvenile filings, increasing by 11.8 percent over Fiscal 1989. Baltimore County reported 3,862 filings, an increase of 11 percent over the 3,478 juvenile filings reported in Fiscal 1989. Anne Arundel County reported 3,340 filings, an increase of 4.7 percent, while Montgomery County increased by 13.3 percent, reporting 3,067 juvenile filings (Table CC-27). Over 73 percent of the juvenile caseload was comprised of delinquency filings with 29,267. Delinquency filings also increased by 10.4 percent, from 26,508 in Fiscal 1989 to 29,267 in Fiscal 1990, while C.I.N.A. filings increased by 4.7 percent during the same period of time (Table CC-8).

Terminations

Unlike the previous fiscal year when a 0.7 percent decrease was reported in circuit court terminations, there was a 6.8 percent increase realized in terminations during Fiscal 1990. There were 182,174 total terminations reported in Fiscal 1989 compared to 194,501 in Fiscal 1990, an additional 12,327 terminations (Table CC-2). However, the ratio of terminations as a percentage of filings continued to decrease from 89 percent in Fiscal 1988 to 85.2 percent in Fiscal 1989 to the present level of 84.9 percent (Table CC-4).

With respect to case type, an increase was reported in all three areas—civil, criminal, and juvenile. Statewide, civil terminations increased by 7.6 percent, from 94,988 in Fiscal 1989 to the present level of 102,193 terminations (Table CC-17). Montgomery County, decreasing by 14.1 percent, was the only major jurisdiction to report a decrease. The most significant increase was realized in Anne Arundel County. There were 5,500 civil terminations reported in Fiscal 1989 compared to 11,591 in

TABLE CC-4
TERMINATIONS AS A PERCENTAGE OF FILINGS
IN THE CIRCUIT COURTS



Relationship of terminations to filings (percent).

Fiscal 1990, an increase of more than 100 percent. The increase in Anne Arundel County can be attributed to a major effort by the judges and clerks to purge the files, reporting cases that had not been reported as closed properly, closing inactive cases, and judges disposing of additional cases. Contrastly, decreases in domestic-related case terminations contributed to the overall decrease in civil terminations in Montgomery County (Table CC-9).

Criminal terminations increased by 6.2 percent from 52,954 in Fiscal 1989 to 56,238 in Fiscal 1990. Contributing to the increase in criminal terminations was the fact that four out of the five major jurisdictions reported increases for Fiscal 1990. Montgomery County, which decreased by 42.6 percent, was the only one to report a decrease. Baltimore City reported 12,757 criminal terminations, an increase of 20.5 percent over the previous year. Anne Arundel County increased by 31.4 percent with 4,310 terminations while Prince George's and Baltimore Counties increased by 16.7 percent and 5.4 percent, respectively (Table CC-22). Categorically, the most significant increases were reported in nonsupport (49.1 percent), motor vehicle appeals (22.8 percent), and indictment information terminations (19.3 percent).

An increase in juvenile case terminations was also reported during Fiscal 1990. There were 34,232 terminations reported in Fiscal 1989 compared to 36,070 in Fiscal 1990, an increase of 5.4 percent. Baltimore City reported a decrease of 3.7 percent, from 12,828 in Fiscal 1989 to the current level of 12,356 juvenile terminations. Montgomery County reported the most significant increase, 42.2 percent, followed by Prince George's County with a 15.9 percent increase reported. Anne Arundel and Baltimore Counties reported increases of 6 percent and 5.5 percent, respectively (Table CC-27). With respect to category, the greatest increase was realized in delinquency terminations which increased by 7.4 percent. C.I.N.A. terminations decreased by less than one percent.

Court Trials, Jury Trials, and Hearings

There were 244,638 total judicial proceedings conducted during Fiscal 1990. That figure represents an increase of 7.7 percent over the Fiscal 1989 level. Hearings, which numbered 230,123, accounted for over 94 percent of the judicial proceedings conducted in the circuit courts. There were also 11,391 court trials and 3,124 jury trials. The proceedings occupied a total of 248,094 courtroom days (Table CC-11). Court trials increased by 35.3 percent while jury trials increased by 6.5 percent. Of the 11,391 court trials held, 5,623 (49.4 percent) were civil while the remaining 5,768 (50.6 percent) were of a criminal nature. Likewise, a majority of the jury trials held were criminal, 1,856 or 59.4 percent, while 1,268 (40.6 percent) were civil. In addition to the trials held, there were also 61,277 civil hearings; 93,108 criminal hearings; and 75,738 juvenile hearings conducted (Table CC-10). During Fiscal 1990, the number of hearings held exceeded the Fiscal 1989 level by 6.6 percent.

Elapsed Time of Case Dispositions

Over the past three years, the average time from the filing of a case to its disposition in the circuit court has remained relatively constant with an increase reported in juvenile cases for the first time in as many years. During Fiscal 1990, it averaged 72 days from the filing of a juvenile case to its disposition, an increase of five days or 7.5 percent. Criminal cases averaged 121 days while civil cases required an average of 209 days to dispose of (Table CC-13). The aforementioned averages represent the average elapsed time once the older, inactive cases have been excluded. Although overall filings have increased steadily, judges have remained relatively consistent in the disposition of their caseload.

Pending

The circuit courts had 277,255 cases pending at the close of Fiscal Year 1990, an increase of 16.4 percent over the previous fiscal year. There were 186,776 civil cases pending at the close of Fiscal 1990 compared to 166,472, an increase of 12.2 percent over the Fiscal 1989 level (Table CC-18). There was also an increase reported in the number of criminal pending cases, 30.7 percent, from 49,701 at the close of Fiscal 1989 to the present level of 64,936 pending criminal cases (Table CC-23). Likewise, an increase of 15.5 percent was reported in pending cases that were of a juvenile nature (Table CC-28). Collectively, the five major jurisdictions contributed 233,403 (84.2 percent) pending cases.

Trends

For the fifth consecutive year, the circuit courts reported an increase in overall filings. Circuit court filings increased by 7.1 percent or 15,221 additional filings which was the highest increase in filings in the last five years. Civil and juvenile filings continued their upward trend while criminal filings decreased slightly (1.5 percent) for the first time since Fiscal 1982 which was the year Baltimore City changed its counting procedures for criminal filings. Fiscal Year 1990 also marked the fourth time in the last five years that an increase in terminations was realized. With 12,327 additional terminations reported, Fiscal 1990 saw the second highest increase in disposed cases in five years.

Over the years, surges in the number of requests for jury trial prayers have resulted in the steady increase in overall criminal filings. As is evident in the decrease reported this fiscal year, the pilot programs, which were discussed in a previous section, have been effective in reducing the requests for jury trials in Baltimore City and Montgomery County, thus causing total criminal filings to decrease. In the coming years, with the fine-tuning of the programs, as well as with the implementation of them in other jurisdictions, it is expected that jury trial requests will continue to decrease. However, indictment information filings, which

include most felonies, have risen steadily over the last five years (54.6 percent since Fiscal 1986) and continue to comprise a greater portion of criminal filings from year-to-year. The steady increase in indictment information filings coupled with the anticipated decrease in jury trial prayers will most probably result in a leveling out in the number of criminal filings.

With respect to civil filings, which have increased by nearly 21 percent since Fiscal 1986, increases in contract and domestic-related filings will result in the continued rise in that functional area. The increase in juvenile filings, which can be attributed to steady increases in delinquency and C.I.N.A., is expected to continue over the years.

The problems facing society today, particularly in the area of substance abuse, which leads to family abuse and neglect, as well as a general increase in other criminal activity, will continue to take a toll on the judicial system. Judicial resources will be stretched to their limits as judicial officers attempt to adjudicate cases as expeditiously but as effectively and fairly as possible. A continuing increase in filings can be expected in the circuit courts.

TABLE CC-5

JURY TRIAL PRAYERS PRE- AND POST-GERSTUNG LAW (CHAPTER 608)

	Pre-Ch. 608	Post-Ch. 608								
	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
Baltimore City*	5,925	2,034	3,209	4,128	5,948	7,407	8,698	8,714	7,905	4,061
Anne Arundel County	503	381	392	459	720	922	1,066	1,343	2,037	2,045
Baltimore County	1,312	1,050	1,424	1,513	2,245	3,363	4,348	4,683	5,499	5,691
Montgomery County	636	489	1,223	1,924	2,631	2,511	3,560	3,955	3,709	2,210
Prince George's County	952	895	1,583	2,755	4,043	4,348	4,003	3,111	2,937	3,314
All Other Counties	2,962	1,399	1,930	2,414	3,593	4,733	6,569	7,978	9,339	10,562
Total	**12,290**	**6,248**	**9,761**	**13,193**	**19,180**	**23,284**	**28,244**	**29,784**	**31,426**	**27,883**

*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

TABLE CC-6

TOTAL CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	PENDING Beginning of the Year	Filed	Terminated	PENDING End of the Year
FIRST CIRCUIT	**4,602**	**8,947**	**8,043**	**5,506**
Dorchester	1,392	1,792	1,683	1,501
Somerset	663	1,334	1,216	781
Wicomico	1,420	3,663	3,314	1,769
Worcester	1,127	2,158	1,830	1,455
SECOND CIRCUIT	**3,772**	**9,238**	**8,169**	**4,841**
Caroline	418	1,283	1,186	515
Cecil	1,877	3,817	3,031	2,663
Kent	327	883	746	464
Queen Anne's	479	1,654	1,585	548
Talbot	671	1,601	1,621	651
THIRD CIRCUIT	**30,678**	**33,713**	**29,639**	**34,752**
Baltimore	24,485	27,274	24,318	27,441
Harford	6,193	6,439	5,321	7,311
FOURTH CIRCUIT	**4,756**	**8,832**	**7,245**	**6,343**
Allegany	1,651	2,296	1,862	2,085
Garrett	351	1,063	946	468
Washington	2,754	5,473	4,437	3,790
FIFTH CIRCUIT	**30,748**	**31,675**	**29,299**	**33,124**
Anne Arundel	23,602	19,960	18,956	24,606
Carroll	2,627	4,563	3,955	3,235
Howard	4,519	7,152	6,388	5,283
SIXTH CIRCUIT	**31,273**	**33,916**	**22,557**	**42,632**
Frederick	3,239	4,787	4,437	3,589
Montgomery	28,034	29,129	18,120	39,043
SEVENTH CIRCUIT	**34,783**	**49,807**	**43,734**	**40,856**
Calvert	930	2,913	2,206	1,637
Charles	2,933	4,741	3,884	3,790
Prince George's	28,899	38,931	34,718	33,112
St. Mary's	2,021	3,222	2,926	2,317
EIGHTH CIRCUIT	**102,158**	**52,858**	**45,815**	**109,201**
Baltimore City	102,158	52,858	45,815	109,201
STATE	**242,770**	**228,986**	**194,501**	**277,255**

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is also reflected in Tables CC-18, CC-23, and CC-28.

TABLE CC-7

PERCENTAGES OF ORIGINAL AND REOPENED CASES FILED

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	CIVIL		CRIMINAL		JUVENILE		TOTAL
	Number	Percent	Number	Percent	Number	Percent	(100%)
FIRST CIRCUIT	**5,275**	**59.0**	**2,880**	**32.2**	**792**	**8.8**	**8,947**
Dorchester	1,049	58.5	553	30.9	190	10.6	1,792
Somerset	836	62.7	391	29.3	107	8.0	1,334
Wicomico	2,068	56.5	1,319	36.0	276	7.5	3,663
Worcester	1,322	61.3	617	28.6	219	10.1	2,158
SECOND CIRCUIT	**5,773**	**62.5**	**2,200**	**23.8**	**1,265**	**13.7**	**9,238**
Caroline	941	73.3	246	19.2	96	7.5	1,283
Cecil	2,236	58.6	953	25.0	628	16.4	3,817
Kent	603	68.3	215	24.3	65	7.4	883
Queen Anne's	1,134	68.5	307	18.6	213	12.9	1,654
Talbot	859	53.7	479	29.9	263	16.4	1,601
THIRD CIRCUIT	**16,879**	**50.1**	**12,192**	**36.1**	**4,642**	**13.8**	**33,713**
Baltimore	13,673	50.1	9,739	35.7	3,862	14.2	27,274
Harford	3,206	49.8	2,453	38.1	780	12.1	6,439
FOURTH CIRCUIT	**5,486**	**62.1**	**2,195**	**24.9**	**1,151**	**13.0**	**8,832**
Allegany	1,601	69.7	420	18.3	275	12.0	2,296
Garrett	707	66.5	199	18.7	157	14.8	1,063
Washington	3,178	58.1	1,576	28.8	719	13.1	5,473
FIFTH CIRCUIT	**17,443**	**55.1**	**9,603**	**30.3**	**4,629**	**14.6**	**31,675**
Anne Arundel	11,731	58.8	4,889	24.5	3,340	16.7	19,960
Carroll	2,332	51.1	1,665	36.5	566	12.4	4,563
Howard	3,380	47.3	3,049	42.6	723	10.1	7,152
SIXTH CIRCUIT	**23,251**	**68.5**	**7,075**	**20.9**	**3,590**	**10.6**	**33,916**
Frederick	2,756	57.6	1,508	31.5	523	10.9	4,787
Montgomery*	20,495	70.4	5,567	19.1	3,067	10.5	29,129
SEVENTH CIRCUIT	**29,546**	**59.3**	**11,584**	**23.3**	**8,677**	**17.4**	**49,807**
Calvert	1,123	38.5	1,494	51.3	296	10.2	2,913
Charles	2,892	61.0	1,256	26.5	593	12.5	4,741
Prince George's	23,629	60.7	7,887	20.3	7,415	19.0	38,931
St. Mary's	1,902	59.0	947	29.4	373	11.6	3,222
EIGHTH CIRCUIT	**25,240**	**47.8**	**12,699**	**24.0**	**14,919**	**28.2**	**52,858**
Baltimore City	25,240	47.8	12,699	24.0	14,919	28.2	52,858
STATE	**128,893**	**56.3**	**60,428**	**26.4**	**39,665**	**17.3**	**228,986**

*Juvenile causes heard at District Court level.

TABLE CC-8

CATEGORIES OF FILINGS
ORIGINAL AND REOPENED CASES FILED

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	**1,049**	**836**	**2,068**	**1,322**	**941**	**2,236**	**603**	**1,134**	**859**	**13,673**	**3,206**	**1,601**	**707**	**3,178**	**11,731**	**2,332**	**3,380**	**2,756**	**20,495**	**1,123**	**2,892**	**23,629**	**1,902**	**25,240**	**128,893**
TORT:																									
Motor Tort	25	12	81	44	19	79	9	33	28	1,477	228	76	21	93	793	116	273	120	1,142	61	182	2,230	79	4,273	11,494
Other Tort	10	1	22	16	14	10	13	1	7	490	34	15	9	33	126	12	31	47	558	19	38	773	7	1,128	3,414
CONTRACT	23	11	97	130	23	23	36	38	63	1,632	129	14	35	67	1,132	96	542	243	8,700	50	164	1,711	32	1,462	16,453
CONDEMNATION	5	0	1	0	0	0	0	16	0	70	11	3	1	1	23	5	12	4	36	3	3	14	0	93	301
CONTESTED CONFESSED JUDGMENT	3	8	5	5	0	3	1	15	5	3	0	5	1	1	2	4	0	2	4	1	0	1	2	158	229
OTHER LAW	16	30	31	59	0	157	10	23	5	375	208	227	7	2	294	0	0	90	802	26	0	1	164	6	2,533
APPEALS:																									
District Court—On Record	5	0	7	11	1	6	1	4	2	58	9	2	0	6	32	4	16	4	50	5	8	3	3	0	237
District Court—De Novo	1	2	9	4	5	10	4	0	4	154	35	8	1	6	99	5	30	26	178	6	14	15	0	0	616
Administrative Agencies	22	31	41	30	16	36	10	16	25	483	106	102	23	51	272	72	106	56	183	40	54	306	35	1,014	3,130
UNREPORTED LAW	0	0	0	0	0	0	0	0	0	1	0	0	0	6	3	0	0	0	1	0	0	0	0	0	11
DIVORCE/NULLITY	188	146	546	215	177	545	156	160	244	3,444	948	462	177	847	3,293	783	997	911	3,245	283	765	5,419	552	3,578	28,081
OTHER DOMESTIC RELATIONS	62	148	327	104	172	636	126	187	72	2,192	474	161	214	568	780	452	405	505	265	163	508	4,322	288	1,328	14,459
ADOPTION/GUARDIANSHIP	36	10	50	24	17	62	19	16	20	236	130	31	35	97	267	58	121	123	547	35	62	347	62	581	2,986
PATERNITY	503	351	623	263	357	443	161	364	150	1,422	341	204	90	502	2,248	72	235	308	817	199	785	5,088	436	5,540	21,502
OTHER GENERAL	142	79	224	409	135	218	54	258	157	1,608	537	244	88	768	2,296	631	585	306	2,549	227	302	3,375	177	6,067	21,436
UNREPORTED CATEGORY	8	7	4	8	5	8	3	3	77	28	16	47	5	130	71	22	27	11	1,418	5	7	24	65	12	2,011
JUVENILE—TOTALS	**190**	**107**	**276**	**219**	**96**	**628**	**65**	**213**	**263**	**3,862**	**780**	**275**	**157**	**719**	**3,340**	**566**	**723**	**523**	**3,067**	**296**	**593**	**7,415**	**373**	**14,919**	**39,665**
DELINQUENCY	129	39	193	156	69	256	52	144	189	2,878	454	133	80	467	2,301	372	642	425	2,130	214	485	5,665	256	11,538	29,267
ADULT	0	0	0	0	4	1	0	7	0	0	0	0	0	0	1	5	0	0	0	1	0	0	3	10	32
CHILD IN NEED OF SUPERVISION	3	6	1	0	8	5	0	21	8	15	3	39	14	23	17	28	4	3	2	2	1	1	0	232	436
CHILD IN NEED OF ASSISTANCE	58	62	82	61	15	366	13	41	66	958	317	95	63	228	1,020	158	76	95	930	79	100	1,730	114	3,139	9,866
UNREPORTED CATEGORY	0	0	0	2	0	0	0	0	0	11	6	8	0	1	1	3	1	0	5	0	7	19	0	0	64
CRIMINAL—TOTALS	**553**	**391**	**1,319**	**617**	**246**	**953**	**215**	**307**	**479**	**9,739**	**2,453**	**420**	**199**	**1,576**	**4,889**	**1,665**	**3,049**	**1,508**	**5,567**	**1,494**	**1,256**	**7,887**	**947**	**12,699**	**60,428**
INDICTMENT INFORMATION	266	107	578	212	119	352	83	160	288	2,974	610	167	114	585	2,493	407	1,165	942	2,371	386	814	4,326	346	8,405	28,270
APPEALS FROM DISTRICT COURT:																									
Motor Vehicle	19	3	15	36	8	57	5	16	7	521	56	23	14	33	158	118	210	72	342	34	38	68	2	290	2,145
Other	12	4	10	27	8	22	7	5	13	300	22	23	6	55	92	42	63	24	451	20	29	128	6	368	1,737
JURY TRIAL PRAYED—MOTOR	72	100	232	118	42	271	34	58	66	1,803	1,022	70	44	379	781	502	812	296	1,072	835	151	1,094	273	2,992	26,814
JURY TRIAL PRAYED—OTHER	177	177	469	216	58	230	68	60	102	3,888	716	130	13	483	1,264	590	786	172	1,138	213	209	2,220	316	485	639
NONSUPPORT	0	0	0	0	0	0	0	0	0	128	1	4	0	1	19	0	0	0	0	0	1	0	0	98	231
POST CONVICTION	0	0	4	0	4	6	1	1	1	0	2	0	6	30	14	0	13	0	3	4	9	35	0	61	592
UNREPORTED CATEGORY	7	0	11	8	7	15	17	7	2	125	24	3	2	10	68	6	0	2	190	2	5	16	4		

NOTE: See note on Table CC-17. The figure for Baltimore City Jury Trial Prayers reflects both motor vehicle and other cases.

TABLE CC-9

CATEGORIES OF TERMINATIONS
TERMINATIONS OF ORIGINAL AND REOPENED CASES FILED

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	**881**	**746**	**1,792**	**1,090**	**882**	**1,861**	**503**	**1,015**	**805**	**11,260**	**2,538**	**1,156**	**649**	**2,476**	**11,591**	**1,871**	**2,940**	**2,673**	**10,808**	**951**	**2,231**	**19,173**	**1,599**	**20,702**	**102,193**
TORT:																									
Motor Tort	20	10	59	35	16	47	8	25	33	1,356	218	38	22	74	816	79	244	100	784	42	120	1,720	53	3,603	9,522
Other Tort	3	7	22	10	18	9	12	6	12	440	33	7	9	28	126	10	50	43	495	10	23	522	3	796	2,694
CONTRACT	11	13	69	101	11	12	34	15	50	1,196	81	22	29	67	910	56	408	236	2,069	35	95	1,271	11	939	7,741
CONDEMNATION	1	1	0	0	0	0	0	10	1	27	1	0	0	1	45	4	8	13	14	1	0	10	1	70	208
CONTESTED CONFESSED JUDGMENT	1	3	4	8	0	1	1	14	7	3	1	0	0	0	21	3	0	3	10	3	0	0	1	156	240
OTHER LAW	6	24	13	30	0	90	7	21	13	269	150	105	9	3	357	1	0	92	219	22	0	7	101	48	1,587
APPEALS:																									
District Court—On Record	0	0	6	4	0	4	2	2	2	49	7	0	0	6	8	4	21	9	59	4	3	0	2	0	192
District Court—De Novo	1	2	6	3	5	4	1	0	3	153	27	4	1	5	126	5	33	34	152	6	6	2	0	7	586
Administrative Agencies	17	35	22	26	14	21	6	12	28	359	111	47	17	67	339	57	140	58	44	27	22	169	51	451	2,140
UNREPORTED LAW	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	3	0	0	0	0	0	7
DIVORCE/NULLITY	199	96	524	186	171	473	134	168	236	2,870	809	393	161	694	3,038	647	887	859	2,798	257	583	4,293	449	3,222	24,147
OTHER DOMESTIC RELATIONS	65	145	319	86	159	575	111	174	84	1,799	349	121	200	481	1,154	330	350	441	309	148	430	3,179	256	860	12,125
ADOPTION/GUARDIANSHIP	16	9	39	21	18	52	24	25	21	203	101	26	27	90	243	51	116	122	407	22	51	286	52	540	2,562
PATERNITY	438	323	519	240	344	391	118	348	144	1,111	235	233	91	470	2,249	32	151	324	605	180	696	4,091	400	4,728	18,461
OTHER GENERAL	103	77	189	338	124	180	44	194	133	1,418	413	143	79	383	2,143	577	530	337	1,832	193	201	3,618	215	5,282	18,746
UNREPORTED CATEGORY	0	1	1	2	2	2	1	1	38	7	2	17	4	103	16	15	2	2	1,008	1	1	5	4	0	1,235
JUVENILE—TOTALS	**189**	**84**	**256**	**190**	**80**	**541**	**51**	**230**	**272**	**3,524**	**708**	**271**	**135**	**651**	**3,055**	**574**	**539**	**477**	**3,105**	**269**	**598**	**7,633**	**282**	**12,356**	**36,070**
DELINQUENCY	129	27	180	145	60	204	40	156	183	2,590	394	145	64	412	2,089	383	473	375	2,065	192	484	5,985	212	9,710	26,697
ADULT	0	0	0	0	3	1	1	7	0	0	0	0	0	0	2	8	0	0	2	0	0	0	2	1	27
CHILD IN NEED OF SUPERVISION	3	6	2	0	4	6	0	21	8	15	3	35	9	21	13	28	3	4	4	2	1	1	0	124	313
CHILD IN NEED OF ASSISTANCE	57	51	74	45	13	330	10	46	81	908	305	89	62	218	951	155	63	98	1,028	75	112	1,642	68	2,521	9,002
UNREPORTED CATEGORY	0	0	0	0	0	0	0	0	0	11	6	2	0	0	0	0	0	0	6	0	1	5	0	0	31
CRIMINAL—TOTALS	**613**	**386**	**1,266**	**550**	**224**	**629**	**192**	**340**	**544**	**9,534**	**2,075**	**435**	**162**	**1,310**	**4,310**	**1,510**	**2,909**	**1,287**	**4,207**	**986**	**1,055**	**7,912**	**1,045**	**12,757**	**56,238**
INDICTMENT INFORMATION	337	108	589	240	104	261	71	168	322	2,902	518	168	93	484	2,254	359	1,126	755	1,650	307	680	4,654	335	6,347	24,832
APPEALS FROM DISTRICT COURT:																									
Motor Vehicle	17	1	14	35	9	49	10	21	7	510	70	21	12	27	145	130	232	82	290	27	43	74	2	683	2,511
Other	6	4	12	18	8	23	7	4	18	273	19	22	4	47	77	44	72	16	221	21	18	90	7	361	1,392
JURY TRIAL PRAYED—MOTOR	73	106	200	99	32	178	33	66	74	1,874	928	80	39	323	740	460	705	283	1,265	466	97	1,045	382	4,881	26,691
JURY TRIAL PRAYED—OTHER	180	167	447	158	65	118	68	80	123	3,762	535	142	14	405	1,078	517	759	150	780	161	208	2,026	319		
NONSUPPORT	0	0	1	0	0	0	0	0	0	212	2	2	0	0	12	0	0	0	0	0	1	1	0	355	586
POST CONVICTION	0	0	3	0	6	0	1	1	0	0	3	0	0	24	3	0	15	0	1	4	8	20	0	104	193
UNREPORTED CATEGORY	0	0	0	0	0	0	2	0	0	1	0	0	0	0	1	0	0	1	0	0	0	2	0	26	33

NOTE: See note on Table CC-8.

TABLE CC-10

COURT TRIALS, JURY TRIALS, AND HEARINGS BY COUNTY, CIRCUIT, AND FUNCTIONAL AREA

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
CASES TRIED BY COUNTY & CIRCUIT																									
Civil																									
Court Trials	45	12	58	21	197	488	15	53	28	532	235	191	101	71	281	47	227	101	551	125	317	988	13	926	5,623
Jury Trials	0	3	19	16	4	27	5	11	9	170	15	15	4	33	150	10	50	31	138	15	29	324	6	184	1,268
Criminal																									
Court Trials	115	66	134	259	5	69	1	10	282	631	28	17	12	25	1,325	89	717	22	104	23	9	37	529	1,259	5,768
Jury Trials	25	24	69	37	12	73	2	14	34	104	38	28	12	70	132	18	32	19	238	9	57	315	10	484	1,856
COUNTY TOTALS																									
Court Trials	160	78	192	280	202	557	16	63	310	1,163	263	208	113	96	1,606	136	944	123	655	148	326	1,025	542	2,185	11,391
Jury Trials	25	27	88	53	16	100	7	25	43	274	53	43	16	103	282	28	82	50	376	24	86	639	16	668	3,124
TOTAL	185	105	280	333	218	657	23	88	353	1,437	316	251	129	199	1,888	164	1,026	173	1,031	172	412	1,664	558	2,853	14,515
CIRCUIT TOTALS	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	
Court Trials	710				1,148					1,426		417			2,686			778		2,041				2,185	11,391
Jury Trials	193				191					327		162			392			426		765				668	3,124
TOTAL	**903**				**1,339**					**1,753**		**579**			**3,078**			**1,204**		**2,806**				**2,853**	**14,515**
CIVIL, CRIMINAL, AND JUVENILE HEARINGS																									
Civil Hearings	560	352	799	402	361	422	241	645	461	7,977	587	313	168	1,041	6,093	1,456	3,649	813	10,158	528	1,200	17,488	863	4,700	61,277
Criminal Hearings	928	373	1,754	579	440	1,964	461	593	705	9,911	3,929	873	293	1,795	5,247	2,718	2,903	1,757	18,769	1,561	2,111	18,117	1,392	13,935	93,108
Juvenile Hearings	215	100	420	212	166	1,059	125	409	374	4,487	681	308	186	872	5,072	1,022	603	1,067	5,742	600	1,345	15,594	1,066	34,013	75,738
COUNTY TOTALS	1,703	825	2,973	1,193	967	3,445	827	1,647	1,540	22,375	5,197	1,494	647	3,708	16,412	5,196	7,155	3,637	34,669	2,689	4,656	51,199	3,321	52,648	230,123
CIRCUIT TOTALS	**1ST CIRCUIT**				**2ND CIRCUIT**					**3RD CIRCUIT**		**4TH CIRCUIT**			**5TH CIRCUIT**			**6TH CIRCUIT**		**7TH CIRCUIT**				**8TH CIRCUIT**	
	6,694				**8,426**					**27,572**		**5,849**			**28,763**			**38,306**		**61,865**				**52,648**	**230,123**

NOTE: Information on criminal court trials and jury trials in Baltimore City is obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-11

JUDICIAL PROCEEDINGS AND COURTROOM DAYS BY COUNTY

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Hearings	Hearing Days	Court Trials	Court Days	Jury Trials	Jury Days	Total Judicial Proceedings	Total Courtroom Days
FIRST CIRCUIT								
Dorchester	1,703	1,709	160	162	25	31	1,888	1,902
Somerset	825	825	78	78	27	30	930	933
Wicomico	2,973	2,973	192	192	88	105	3,253	3,270
Worcester	1,193	1,195	280	280	53	64	1,526	1,539
SECOND CIRCUIT								
Caroline	967	967	202	202	16	16	1,185	1,185
Cecil	3,445	3,445	557	572	100	146	4,102	4,163
Kent	827	827	16	24	7	7	850	858
Queen Anne's	1,647	1,647	63	64	25	30	1,735	1,741
Talbot	1,540	1,544	310	323	43	50	1,893	1,917
THIRD CIRCUIT								
Baltimore	22,375	22,390	1,163	1,318	274	656	23,812	24,364
Harford	5,197	5,199	263	346	53	134	5,513	5,679
FOURTH CIRCUIT								
Allegany	1,494	1,494	208	212	43	52	1,745	1,758
Garrett	647	649	113	113	16	18	776	780
Washington	3,708	3,712	96	98	103	109	3,907	3,919
FIFTH CIRCUIT								
Anne Arundel	16,412	16,473	1,606	1,723	282	506	18,300	18,702
Carroll	5,196	5,200	136	163	28	51	5,360	5,414
Howard	7,155	7,175	944	1,033	82	265	8,181	8,473
SIXTH CIRCUIT								
Frederick	3,637	3,654	123	144	50	87	3,810	3,885
Montgomery	34,669	34,867	655	750	376	604	35,700	36,221
SEVENTH CIRCUIT								
Calvert	2,689	2,689	148	154	24	51	2,861	2,894
Charles	4,656	4,659	326	337	86	113	5,068	5,109
Prince George's	51,199	51,209	1,025	1,078	639	1,301	52,863	53,588
St. Mary's	3,321	3,322	542	543	16	23	3,879	3,888
EIGHTH CIRCUIT								
Baltimore City	52,648	52,721	2,185	2,316	668	875	55,501	55,912
STATE	**230,123**	**230,545**	**11,391**	**12,225**	**3,124**	**5,324**	**244,638**	**248,094**

NOTE: Information on criminal court trials and jury trials in Baltimore City is obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings. The number of court and jury days for Baltimore City was extrapolated based on the ratio of court and jury trials to court and jury days in previous years.

TABLE CC-12

APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES AND PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES																									
LAW																									
District Court—De Novo	5	0	7	11	1	6	1	4	2	58	9	2	0	6	32	4	16	4	50	5	8	3	3	0	237
—On Record	1	2	9	4	5	10	4	0	4	154	35	8	1	6	99	5	30	26	178	6	14	15	0	0	616
Administrative Agencies	22	31	41	30	16	36	10	16	25	483	106	102	23	51	272	72	106	56	183	40	54	306	35	1,014	3,130
Subtotal	28	33	57	45	22	52	15	20	31	695	150	112	24	63	403	81	152	86	411	51	76	324	38	1,014	3,983
CRIMINAL																									
Motor Vehicle	19	3	15	36	8	57	5	16	7	521	56	23	14	33	158	118	210	72	342	34	38	68	2	290	2,145
Other	12	4	10	27	8	22	7	5	13	300	22	23	6	55	92	42	63	24	451	20	29	128	6	368	1,737
Subtotal	31	7	25	63	16	79	12	21	20	821	78	46	20	88	250	160	273	96	793	54	67	196	8	658	3,882
TOTAL	**59**	**40**	**82**	**108**	**38**	**131**	**27**	**41**	**51**	**1,516**	**228**	**158**	**44**	**151**	**653**	**241**	**483**	**182**	**1,204**	**105**	**143**	**520**	**46**	**1,672**	**7,865**
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT																									
Prayers for Jury Trials and Appeals:																									
County	286	286	742	412	122	596	119	143	194	6,724	1,860	256	78	962	2,426	1,261	1,917	594	3,231	1,113	449	3,528	600	3,650	31,549
Circuit		**1,726**					**1,174**			**8,584**			**1,296**			**5,604**			**3,825**			**5,690**		**3,650**	**31,549**
Circuit Court Filings:																									
County	1,792	1,334	3,663	2,158	1,283	3,817	883	1,654	1,601	27,274	6,439	2,296	1,063	5,473	19,960	4,563	7,152	4,787	29,129	2,913	4,741	38,931	3,222	52,858	228,986
Circuit		**8,947**					**9,238**			**33,713**			**8,832**			**31,675**			**33,916**			**49,807**		**52,858**	**228,986**
Percentage of Circuit Court Filings that are Jury Trials and Appeals:																									
County	16.0	21.4	20.3	19.1	9.5	15.6	13.5	8.6	12.1	24.7	28.9	11.1	7.3	17.6	12.2	27.6	26.8	12.4	11.1	38.2	9.5	9.1	18.6	6.9	13.8
Circuit		**19.3**					**12.7**			**25.5**			**14.7**			**17.7**			**11.3**			**11.4**		**6.9**	**13.8**

TABLE CC-13

AVERAGE DAYS FROM FILING TO DISPOSITION

	CIVIL			CRIMINAL			JUVENILE		
	1987-88	1988-89	1989-90	1987-88	1988-89	1989-90	1987-88	1988-89	1989-90
FIRST CIRCUIT									
Dorchester	172	144	192	98	110	156	31	33	48
Somerset	109	117	123	132	114	131	12	24	19
Wicomico	185	173	178	94	99	83	37	35	38
Worcester	163	169	157	124	113	122	56	58	52
SECOND CIRCUIT									
Caroline	165	165	159	170	133	141	72	47	70
Cecil	156	170	157	150	145	156	56	57	59
Kent	179	136	155	113	165	161	43	44	58
Queen Anne's	182	176	158	134	131	133	51	42	57
Talbot	171	198	186	174	174	153	57	48	77
THIRD CIRCUIT									
Baltimore	207	202	202	105	89	104	46	51	56
Harford	187	200	198	147	148	142	38	54	58
FOURTH CIRCUIT									
Allegany	282	199	218	173	145	145	57	48	58
Garrett	167	164	159	107	123	124	50	49	44
Washington	175	169	149	129	138	135	40	49	46
FIFTH CIRCUIT									
Anne Arundel	203	204	223	150	149	139	84	84	91
Carroll	180	194	186	199	176	149	78	58	63
Howard	256	246	249	138	131	132	65	57	65
SIXTH CIRCUIT									
Frederick	185	187	193	155	149	160	78	77	88
Montgomery	258	233	226	175	168	144	108	112	111
SEVENTH CIRCUIT									
Calvert	193	216	179	98	98	102	94	93	66
Charles	181	177	173	146	145	144	68	71	72
Prince George's	217	216	234	114	125	123	72	76	73
St. Mary's	186	165	167	149	160	140	94	73	82
EIGHTH CIRCUIT									
Baltimore City	216	220	211	90	91	104	65	64	70
STATE	**213**	**208**	**209**	**120**	**121**	**121**	**67**	**67**	**72**

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile causes over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-14

POPULATION IN RELATION TO CIRCUIT COURT CASELOAD*

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	POPULATION	POPULATION AND CASELOAD PER CIRCUIT COURT JUDGE						CASES FILED IN THE CIRCUIT COURT PER THOUSAND POPULATION			RATIO OF JURY TRIALS TO POPULATION	
				Cases Filed Per Judge		Cases Terminated Per Judge						
		No. of Judges	Population Per Judge	Civil**	Criminal	Civil**	Criminal	Civil**	Criminal	Total	No. of Jury Trials	Per 1000 Population
FIRST CIRCUIT												
Dorchester	30,300	1	30,300	1,239	553	1,070	613	41	18	59	25	0.83
Somerset	20,000	1	20,000	943	391	830	386	47	20	67	27	1.35
Wicomico	74,600	3	24,867	781	440	683	422	31	18	49	88	1.18
Worcester	40,100	2	20,050	771	309	640	275	38	15	53	53	1.32
SECOND CIRCUIT												
Caroline	26,000	1	26,000	1,037	246	962	224	40	9	49	16	0.62
Cecil	74,000	2	37,000	1,432	447	1,201	315	39	13	52	100	1.35
Kent	17,300	1	17,300	668	215	554	192	39	12	51	7	0.40
Queen Anne's	34,100	1	34,100	1,347	307	1,245	340	40	9	49	25	0.73
Talbot	28,600	1	28,600	1,122	479	1,077	544	39	17	56	43	1.50
THIRD CIRCUIT												
Baltimore	686,700	14	49,050	1,253	696	1,056	681	26	14	40	274	0.40
Harford	175,900	4	43,975	997	613	812	519	23	14	37	53	0.30
FOURTH CIRCUIT												
Allegany	72,700	2	36,350	938	210	714	218	26	6	32	43	0.59
Garrett	26,500	1	26,500	864	199	784	162	33	8	41	16	0.60
Washington	119,800	3	39,933	1,299	525	1,042	437	33	13	46	103	0.86
FIFTH CIRCUIT												
Anne Arundel	434,700	9	48,300	1,675	543	1,627	479	35	11	46	282	0.65
Carroll	126,500	3	42,167	966	555	815	503	23	13	36	28	0.22
Howard	179,100	4	44,775	1,026	762	870	727	23	17	40	82	0.46
SIXTH CIRCUIT												
Frederick	148,800	3	49,600	1,093	503	1,050	429	22	10	32	50	0.34
Montgomery	752,400	13	57,877	1,577	428	831	324	27	7	34	376	0.50
SEVENTH CIRCUIT												
Calvert	52,700	1	52,700	1,419	1,494	1,220	986	27	28	55	24	0.46
Charles	103,400	3	34,467	1,162	419	943	352	34	12	46	86	0.83
Prince George's	703,100	17	41,359	1,826	464	1,577	465	44	11	55	639	0.91
St. Mary's	75,300	2	37,650	1,138	474	941	523	30	13	43	16	0.21
EIGHTH CIRCUIT												
Baltimore City	741,200	24	30,883	1,673	529	1,377	532	54	17	71	668	0.90
STATE	**4,743,800**	**116**	**40,895**	**1,453**	**521**	**1,192**	**485**	**36**	**13**	**49**	**3,124**	**0.66**

*Population estimate for July 1, 1990, issued by the Maryland Center for Health Statistics.
**Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

TABLE CC-15

FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM THE DISTRICT COURT AND ADMINISTRATIVE AGENCIES

FISCAL 1986—FISCAL 1990

	1985-1986		1986-1987		1987-1988		1988-1989		1989-1990	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
FIRST CIRCUIT	**156**	**73**	**151**	**115**	**211**	**99**	**163**	**156**	**165**	**124**
Dorchester	29	19	31	58	43	22	41	22	37	22
Somerset	13	3	13	12	13	16	13	80	9	31
Wicomico	59	23	46	26	62	25	45	29	41	41
Worcester	55	28	61	19	93	36	64	25	78	30
SECOND CIRCUIT	**162**	**130**	**192**	**81**	**235**	**87**	**215**	**82**	**185**	**103**
Caroline	20	9	20	6	33	16	28	7	22	16
Cecil	76	59	95	39	120	32	105	33	95	36
Kent	18	18	15	7	15	15	16	12	17	10
Queen Anne's	15	17	31	14	28	7	28	12	25	16
Talbot	33	27	31	15	39	17	38	18	26	25
THIRD CIRCUIT	**982**	**568**	**1,208**	**512**	**1,334**	**650**	**1,283**	**505**	**1,155**	**589**
Baltimore	860	475	1,066	418	1,173	508	1,095	395	1,033	483
Harford	122	93	142	94	161	142	188	110	122	106
FOURTH CIRCUIT	**150**	**102**	**155**	**113**	**175**	**142**	**184**	**160**	**177**	**176**
Allegany	76	52	47	59	48	74	55	69	56	102
Garrett	14	13	24	13	15	15	15	13	21	23
Washington	60	37	84	41	112	53	114	78	100	51
FIFTH CIRCUIT	**752**	**421**	**678**	**475**	**673**	**555**	**786**	**394**	**869**	**450**
Anne Arundel	369	283	344	366	262	402	292	273	381	272
Carroll	153	47	117	41	157	57	205	44	169	72
Howard	230	91	217	68	254	96	289	77	319	106
SIXTH CIRCUIT	**668**	**314**	**646**	**254**	**924**	**127**	**1,005**	**50**	**1,147**	**239**
Frederick	45	40	79	40	112	56	141	50	126	56
Montgomery	623	274	567	214	812	71	864	0	1,021	183
SEVENTH CIRCUIT	**492**	**416**	**434**	**294**	**406**	**232**	**282**	**307**	**379**	**435**
Calvert	31	37	41	36	36	26	37	28	65	40
Charles	67	32	103	27	55	43	53	43	89	54
Prince George's	363	235	281	170	291	136	178	196	214	306
St. Mary's	31	112	9	61	24	27	14	35	11	35
EIGHTH CIRCUIT	**905**	**414**	**951**	**368**	**819**	**381**	**609**	**893**	**658**	**1,014**
Baltimore City	905	414	951	368	819	381	609	893	658	1,014
STATE	**4,267**	**2,438**	**4,415**	**2,212**	**4,777**	**2,273**	**4,527**	**2,547**	**4,735**	**3,130**

TABLE CC-16

APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Filed During Year	Withdrawn by Applicant	TERMINATED, CONSIDERED, AND DISPOSED OF		
			Original Sentence Unchanged	Original Sentence Increased	Original Sentence Decreased
FIRST CIRCUIT					
Dorchester	1	0	1	0	0
Somerset	3	0	4	0	0
Wicomico	0	0	0	0	0
Worcester	0	0	0	0	0
SECOND CIRCUIT					
Caroline	0	0	0	0	0
Cecil	9	0	3	0	0
Kent	2	0	2	0	0
Queen Anne's	6	1	5	0	0
Talbot	0	0	0	0	0
THIRD CIRCUIT					
Baltimore	0	0	0	0	0
Harford	10	1	0	0	0
FOURTH CIRCUIT					
Allegany	4	0	4	0	0
Garrett	1	0	0	0	0
Washington	27	0	24	0	2
FIFTH CIRCUIT					
Anne Arundel	0	0	0	0	0
Carroll	0	0	0	0	0
Howard	4	0	1	0	1
SIXTH CIRCUIT					
Frederick	4	0	1	0	0
Montgomery	0	0	0	0	0
SEVENTH CIRCUIT					
Calvert	1	0	0	0	0
Charles	25	1	20	0	1
Prince George's	33	7	36	0	1
St. Mary's	0	0	0	0	0
EIGHTH CIRCUIT					
Baltimore City	76	3	48	0	0
STATE	**206**	**13**	**149**	**0**	**5**

TABLE CC-17

FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES
FILINGS AND TERMINATIONS

FISCAL 1986—FISCAL 1990

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1985-86		1986-87		1987-88		1988-89		1989-90	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**4,797**	**4,815**	**4,550**	**4,342**	**4,719**	**4,392**	**5,114**	**4,521**	**5,275**	**4,509**
Dorchester	1,415	1,579	1,398	1,271	1,190	1,036	998	711	1,049	881
Somerset	687	708	700	654	783	742	866	802	836	746
Wicomico	1,450	1,319	1,358	1,310	1,650	1,524	2,076	1,883	2,068	1,792
Worcester	1,245	1,209	1,094	1,107	1,096	1,090	1,174	1,125	1,322	1,090
SECOND CIRCUIT	**3,989**	**3,700**	**3,917**	**3,441**	**4,373**	**3,964**	**4,778**	**4,467**	**5,773**	**5,066**
Caroline	697	729	656	547	832	807	864	852	941	882
Cecil	1,601	1,428	1,626	1,428	1,875	1,589	2,017	1,882	2,236	1,861
Kent	379	297	451	445	376	370	417	377	603	503
Queen Anne's	644	626	563	562	619	579	751	689	1,134	1,015
Talbot	668	620	621	459	671	619	729	667	859	805
THIRD CIRCUIT	**15,153**	**11,933**	**14,547**	**12,061**	**16,676**	**15,351**	**16,674**	**13,923**	**16,879**	**13,798**
Baltimore	12,044	9,758	11,633	9,640	13,365	11,899	13,111	10,304	13,673	11,260
Harford	3,109	2,175	2,914	2,421	3,311	3,452	3,563	3,619	3,206	2,538
FOURTH CIRCUIT	**4,372**	**3,788**	**4,381**	**3,558**	**4,827**	**4,983**	**4,924**	**4,434**	**5,486**	**4,281**
Allegany	1,134	864	1,221	774	1,388	1,739	1,527	1,265	1,601	1,156
Garrett	503	498	541	537	676	659	652	605	707	649
Washington	2,735	2,426	2,619	2,247	2,763	2,585	2,745	2,564	3,178	2,476
FIFTH CIRCUIT	**16,320**	**12,573**	**14,110**	**13,338**	**14,206**	**11,199**	**14,040**	**10,049**	**17,443**	**16,402**
Anne Arundel	11,967	8,810	9,835	9,453	9,012	6,038	8,947	5,500	11,731	11,591
Carroll	1,883	1,718	1,895	1,785	2,013	1,919	1,983	1,873	2,332	1,871
Howard	2,470	2,045	2,380	2,100	3,181	3,242	3,110	2,676	3,380	2,940
SIXTH CIRCUIT	**14,492**	**12,331**	**14,944**	**11,627**	**16,976**	**13,706**	**19,188**	**14,469**	**23,251**	**13,481**
Frederick	2,134	1,957	2,274	1,866	2,573	2,173	2,397	1,884	2,756	2,673
Montgomery	12,358	10,374	12,670	9,761	14,403	11,533	16,791	12,585	20,495	10,808
SEVENTH CIRCUIT	**23,406**	**18,139**	**26,462**	**24,648**	**27,374**	**24,023**	**28,314**	**23,734**	**29,546**	**23,954**
Calvert	896	892	914	888	959	916	943	1,013	1,123	951
Charles	2,212	2,104	2,990	2,535	3,063	2,660	2,953	2,536	2,892	2,231
Prince George's	19,309	14,269	20,817	19,652	21,451	18,758	22,324	18,561	23,629	19,173
St. Mary's	989	874	1,741	1,573	1,901	1,689	2,094	1,624	1,902	1,599
EIGHTH CIRCUIT	**24,187**	**16,367**	**23,282**	**11,879**	**23,494**	**20,154**	**23,067**	**19,391**	**25,240**	**20,702**
Baltimore City	24,187	16,367	23,282	11,879	23,494	20,154	23,067	19,391	25,240	20,702
STATE	**106,716**	**83,646**	**106,193**	**84,894**	**112,645**	**97,772**	**116,099**	**94,988**	**128,893**	**102,193**

NOTE: A civil case is reopened statistically at the time a pleading is filed (i.e. a Motion for Modification of Decree is filed in a divorce case after the final decree has been issued). In a few jurisdictions, a civil case is not reopened statistically until the time a hearing is held on a case with post-judgment activity.

TABLE CC-18

CIVIL CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	PENDING Beginning of the Year	Filed	Terminated	PENDING End of the Year
FIRST CIRCUIT	**3,206**	**5,275**	**4,509**	**3,972**
Dorchester	988	1,049	881	1,156
Somerset	437	836	746	527
Wicomico	1,067	2,068	1,792	1,343
Worcester	714	1,322	1,090	946
SECOND CIRCUIT	**2,414**	**5,773**	**5,066**	**3,121**
Caroline	291	941	882	350
Cecil	1,198	2,236	1,861	1,573
Kent	221	603	503	321
Queen Anne's	316	1,134	1,015	435
Talbot	388	859	805	442
THIRD CIRCUIT	**20,226**	**16,879**	**13,798**	**23,307**
Baltimore	16,042	13,673	11,260	18,455
Harford	4,184	3,206	2,538	4,852
FOURTH CIRCUIT	**3,551**	**5,486**	**4,281**	**4,756**
Allegany	1,363	1,601	1,156	1,808
Garrett	288	707	649	346
Washington	1,900	3,178	2,476	2,602
FIFTH CIRCUIT	**23,475**	**17,443**	**16,402**	**24,516**
Anne Arundel	18,705	11,731	11,591	18,845
Carroll	1,549	2,332	1,871	2,010
Howard	3,221	3,380	2,940	3,661
SIXTH CIRCUIT	**22,347**	**23,251**	**13,481**	**32,117**
Frederick	2,232	2,756	2,673	2,315
Montgomery	20,115	20,495	10,808	29,802
SEVENTH CIRCUIT	**26,396**	**29,546**	**23,954**	**31,988**
Calvert	641	1,123	951	813
Charles	1,884	2,892	2,231	2,545
Prince George's	22,553	23,629	19,173	27,009
St. Mary's	1,318	1,902	1,599	1,621
EIGHTH CIRCUIT	**58,461**	**25,240**	**20,702**	**62,999**
Baltimore City	58,461	25,240	20,702	62,999
STATE	**160,076**	**128,893**	**102,193**	**186,776**

See note on Table CC-6.

TABLE CC-19

CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	**4,509**	**174**	**3.8**	**136**	**3.0**	**38**	**0.8**
Dorchester	881	45	5.1	45	5.1	0	0.0
Somerset	746	15	2.0	12	1.6	3	0.4
Wicomico	1,792	77	4.3	58	3.2	19	1.1
Worcester	1,090	37	3.4	21	1.9	16	1.5
SECOND CIRCUIT	**5,066**	**837**	**16.5**	**781**	**15.4**	**56**	**1.1**
Caroline	882	201	22.8	197	22.3	4	0.5
Cecil	1,861	515	27.7	488	26.2	27	1.5
Kent	503	20	4.0	15	3.0	5	1.0
Queen Anne's	1,015	64	6.3	53	5.2	11	1.1
Talbot	805	37	4.6	28	3.5	9	1.1
THIRD CIRCUIT	**13,798**	**952**	**6.9**	**767**	**5.6**	**185**	**1.3**
Baltimore	11,260	702	6.2	532	4.7	170	1.5
Harford	2,538	250	9.9	235	9.3	15	0.6
FOURTH CIRCUIT	**4,281**	**415**	**9.7**	**363**	**8.5**	**52**	**1.2**
Allegany	1,156	206	17.8	191	16.5	15	1.3
Garrett	649	105	16.2	101	15.6	4	0.6
Washington	2,476	104	4.2	71	2.9	33	1.3
FIFTH CIRCUIT	**16,402**	**765**	**4.7**	**555**	**3.4**	**210**	**1.3**
Anne Arundel	11,591	431	3.7	281	2.4	150	1.3
Carroll	1,871	57	3.0	47	2.5	10	0.5
Howard	2,940	277	9.4	227	7.7	50	1.7
SIXTH CIRCUIT	**13,481**	**821**	**6.1**	**652**	**4.8**	**169**	**1.3**
Frederick	2,673	132	4.9	101	3.8	31	1.1
Montgomery	10,808	689	6.4	551	5.1	138	1.3
SEVENTH CIRCUIT	**23,954**	**1,817**	**7.6**	**1,443**	**6.0**	**374**	**1.6**
Calvert	951	140	14.7	125	13.1	15	1.6
Charles	2,231	346	15.5	317	14.2	29	1.3
Prince George's	19,173	1,312	6.8	988	5.1	324	1.7
St. Mary's	1,599	19	1.2	13	0.8	6	0.4
EIGHTH CIRCUIT	**20,702**	**1,110**	**5.4**	**926**	**4.5**	**184**	**0.9**
Baltimore City	20,702	1,110	5.4	926	4.5	184	0.9
STATE	**102,193**	**6,891**	**6.7**	**5,623**	**5.5**	**1,268**	**1.2**

TABLE CC-20

FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES TRIED

FISCAL 1986—FISCAL 1990

	1985-86	1986-87	1987-88	1988-89	1989-90
FIRST CIRCUIT	**226**	**260**	**217**	**186**	**174**
Dorchester	27	38	60	53	45
Somerset	17	37	8	1	15
Wicomico	117	94	106	97	77
Worcester	65	91	43	35	37
SECOND CIRCUIT	**494**	**556**	**652**	**775**	**837**
Caroline	113	155	182	191	201
Cecil	340	360	415	499	515
Kent	7	7	4	13	20
Queen Anne's	21	18	30	49	64
Talbot	13	16	21	23	37
THIRD CIRCUIT	**935**	**901**	**790**	**734**	**952**
Baltimore	481	460	491	555	702
Harford	454	441	299	179	250
FOURTH CIRCUIT	**342**	**315**	**377**	**274**	**415**
Allegany	160	141	136	96	206
Garrett	85	87	78	94	105
Washington	97	87	163	84	104
FIFTH CIRCUIT	**878**	**719**	**833**	**624**	**765**
Anne Arundel	472	398	429	399	431
Carroll	193	61	84	37	57
Howard	213	260	320	188	277
SIXTH CIRCUIT	**1,086**	**1,603**	**991**	**854**	**821**
Frederick	300	307	223	125	132
Montgomery	786	1,296	768	729	689
SEVENTH CIRCUIT	**3,194**	**3,613**	**3,633**	**1,528**	**1,817**
Calvert	161	119	128	115	140
Charles	467	388	485	378	346
Prince George's	2,523	3,083	2,929	966	1,312
St. Mary's	43	23	91	69	19
EIGHTH CIRCUIT	**1,210**	**1,092**	**1,386**	**1,021**	**1,110**
Baltimore City	1,210	1,092	1,386	1,021	1,110
STATE	**8,365**	**9,059**	**8,879**	**5,996**	**6,891**

NOTE: See note on Table CC-10.

TABLE CC-21

CIVIL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
FIRST CIRCUIT								
Dorchester	487	272	192	27.1	53.4	73.1	91.6	97.5
Somerset	444	172	123	47.5	75.7	85.6	95.5	98.4
Wicomico	1,347	218	178	34.3	62.7	75.6	95.0	98.7
Worcester	897	198	157	29.2	64.7	86.7	96.7	98.1
SECOND CIRCUIT								
Caroline	487	217	159	26.1	66.5	81.1	92.8	97.9
Cecil	1,022	224	157	37.4	64.7	79.2	93.1	97.8
Kent	309	232	155	36.2	63.4	77.0	91.9	97.7
Queen Anne's	554	187	158	39.4	66.1	79.6	96.6	99.1
Talbot	592	257	186	30.4	56.4	73.8	90.7	98.3
THIRD CIRCUIT								
Baltimore	10,598	342	202	25.1	51.3	65.5	84.7	94.4
Harford	2,288	342	198	24.3	49.1	65.3	82.6	95.4
FOURTH CIRCUIT								
Allegany	905	455	218	18.3	44.3	59.3	77.9	89.9
Garrett	413	172	159	35.1	66.8	82.8	98.1	99.8
Washington	1,739	197	149	41.2	68.9	82.0	95.2	98.2
FIFTH CIRCUIT								
Anne Arundel	7,089	648	223	13.5	38.8	56.1	72.5	79.0
Carroll	1,507	250	186	25.9	58.5	75.6	92.6	97.7
Howard	2,472	357	249	10.7	40.3	63.9	87.2	94.9
SIXTH CIRCUIT								
Frederick	2,154	281	193	23.1	56.6	72.2	89.6	97.5
Montgomery	9,103	411	226	17.6	44.7	63.5	85.5	91.7
SEVENTH CIRCUIT								
Calvert	743	248	179	26.8	59.5	76.2	91.4	98.0
Charles	1,184	227	173	28.3	61.7	81.0	94.8	97.8
Prince George's	13,550	343	234	12.3	46.1	65.1	85.9	96.2
St. Mary's	1,011	249	167	25.1	61.4	78.2	89.5	98.2
EIGHTH CIRCUIT								
Baltimore City	19,204	365	211	24.3	48.6	62.9	84.7	93.6
STATE	**80,099**	**364**	**209**	**21.4**	**49.5**	**66.0**	**85.4**	**93.5**

NOTE: This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-22

FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES
FILINGS AND TERMINATIONS

FISCAL 1986—FISCAL 1990

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1985-86		1986-87		1987-88		1988-89		1989-90	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**2,142**	**1,815**	**2,498**	**2,363**	**2,635**	**2,454**	**2,965**	**2,729**	**2,880**	**2,815**
Dorchester	286	246	310	305	440	399	651	445	553	613
Somerset	190	139	228	211	238	182	390	360	391	386
Wicomico	976	829	1,050	1,031	1,161	1,119	1,243	1,193	1,319	1,266
Worcester	690	601	910	816	796	754	681	731	617	550
SECOND CIRCUIT	**1,219**	**1,004**	**1,568**	**1,335**	**1,858**	**1,595**	**2,138**	**1,965**	**2,200**	**1,929**
Caroline	179	166	281	210	260	280	272	272	246	224
Cecil	456	391	582	471	720	617	811	718	953	629
Kent	127	88	169	158	220	158	202	159	215	192
Queen Anne's	194	180	261	220	312	304	352	338	307	340
Talbot	263	179	275	276	346	236	501	478	479	544
THIRD CIRCUIT	**8,871**	**7,170**	**10,573**	**8,619**	**11,046**	**9,200**	**12,330**	**11,302**	**12,192**	**11,609**
Baltimore	7,374	5,924	8,717	7,099	8,719	7,301	9,782	9,049	9,739	9,534
Harford	1,497	1,246	1,856	1,520	2,327	1,899	2,548	2,253	2,453	2,075
FOURTH CIRCUIT	**1,042**	**841**	**1,299**	**1,136**	**1,585**	**1,574**	**1,887**	**1,599**	**2,195**	**1,907**
Allegany	362	286	341	323	369	444	386	322	420	435
Garrett	91	107	105	119	84	75	146	121	199	162
Washington	589	448	853	694	1,132	1,055	1,355	1,156	1,576	1,310
FIFTH CIRCUIT	**5,643**	**5,063**	**6,516**	**5,432**	**7,214**	**5,985**	**8,489**	**7,000**	**9,603**	**8,729**
Anne Arundel	2,822	2,413	3,380	2,707	3,669	2,798	4,427	3,280	4,889	4,310
Carroll	1,162	1,117	1,224	910	1,426	1,231	1,583	1,495	1,665	1,510
Howard	1,659	1,533	1,912	1,815	2,119	1,956	2,479	2,225	3,049	2,909
SIXTH CIRCUIT	**5,960**	**4,408**	**6,993**	**3,337**	**8,020**	**7,277**	**8,576**	**8,391**	**7,075**	**5,494**
Frederick	644	473	786	645	900	788	1,373	1,064	1,508	1,287
Montgomery	5,316	3,935	6,207	2,692	7,120	6,489	7,203	7,327	5,567	4,207
SEVENTH CIRCUIT	**8,654**	**7,854**	**9,649**	**8,639**	**9,806**	**9,301**	**10,593**	**9,385**	**11,584**	**10,998**
Calvert	369	352	316	346	422	368	577	481	1,494	986
Charles	774	646	948	812	954	885	1,187	962	1,256	1,055
Prince George's	7,138	6,497	7,559	6,945	7,314	7,029	7,574	6,780	7,887	7,912
St. Mary's	373	359	826	536	1,116	1,019	1,255	1,162	947	1,045
EIGHTH CIRCUIT	**15,129**	**14,859**	**16,151**	**14,049**	**15,759**	**14,653**	**14,352**	**10,583**	**12,699**	**12,757**
Baltimore City	15,129	14,859	16,151	14,049	15,759	14,653	14,352	10,583	12,699	12,757
STATE	**48,660**	**43,014**	**55,247**	**44,910**	**57,923**	**52,039**	**61,330**	**52,954**	**60,428**	**56,238**

TABLE CC-23

CRIMINAL CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	PENDING Beginning of the Year	Filed	Terminated	PENDING End of the Year
FIRST CIRCUIT	**1,233**	**2,880**	**2,815**	**1,298**
Dorchester	356	553	613	296
Somerset	195	391	386	200
Wicomico	331	1,319	1,266	384
Worcester	351	617	550	418
SECOND CIRCUIT	**1,196**	**2,200**	**1,929**	**1,467**
Caroline	115	246	224	137
Cecil	600	953	629	924
Kent	93	215	192	116
Queen Anne's	138	307	340	105
Talbot	250	479	544	185
THIRD CIRCUIT	**9,647**	**12,192**	**11,609**	**10,230**
Baltimore	7,789	9,739	9,534	7,994
Harford	1,858	2,453	2,075	2,236
FOURTH CIRCUIT	**1,016**	**2,195**	**1,907**	**1,304**
Allegany	202	420	435	187
Garrett	57	199	162	94
Washington	757	1,576	1,310	1,023
FIFTH CIRCUIT	**6,246**	**9,603**	**8,729**	**7,120**
Anne Arundel	4,071	4,889	4,310	4,650
Carroll	982	1,665	1,510	1,137
Howard	1,193	3,049	2,909	1,333
SIXTH CIRCUIT	**6,283**	**7,075**	**5,494**	**7,864**
Frederick	896	1,508	1,287	1,117
Montgomery	5,387	5,567	4,207	6,747
SEVENTH CIRCUIT	**6,572**	**11,584**	**10,998**	**7,158**
Calvert	224	1,494	986	732
Charles	887	1,256	1,055	1,088
Prince George's	4,874	7,887	7,912	4,849
St. Mary's	587	947	1,045	489
EIGHTH CIRCUIT	**28,553**	**12,699**	**12,757**	**28,495**
Baltimore City	28,553	12,699	12,757	28,495
STATE	**60,746**	**60,428**	**56,238**	**64,936**

See note on Table CC-6.

TABLE CC-24

CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Dispositions	Trials	Per-centages	Court Trials	Per-centages	Jury Trials	Per-centages
FIRST CIRCUIT	**2,815**	**729**	**25.9**	**574**	**20.4**	**155**	**5.5**
Dorchester	613	140	22.8	115	18.7	25	4.1
Somerset	386	90	23.3	66	17.1	24	6.2
Wicomico	1,266	203	16.0	134	10.6	69	5.4
Worcester	550	296	53.8	259	47.1	37	6.7
SECOND CIRCUIT	**1,929**	**502**	**26.0**	**367**	**19.0**	**135**	**7.0**
Caroline	224	17	7.6	5	2.2	12	5.4
Cecil	629	142	22.6	69	11.0	73	11.6
Kent	192	3	1.6	1	0.6	2	1.0
Queen Anne's	340	24	7.0	10	2.9	14	4.1
Talbot	544	316	58.1	282	51.8	34	6.3
THIRD CIRCUIT	**11,609**	**801**	**6.9**	**659**	**5.7**	**142**	**1.2**
Baltimore	9,534	735	7.7	631	6.6	104	1.1
Harford	2,075	66	3.2	28	1.4	38	1.8
FOURTH CIRCUIT	**1,907**	**164**	**8.6**	**54**	**2.8**	**110**	**5.8**
Allegany	435	45	10.3	17	3.9	28	6.4
Garrett	162	24	14.8	12	7.4	12	7.4
Washington	1,310	95	7.2	25	1.9	70	5.3
FIFTH CIRCUIT	**8,729**	**2,313**	**26.5**	**2,131**	**24.4**	**182**	**2.1**
Anne Arundel	4,310	1,457	33.8	1,325	30.7	132	3.1
Carroll	1,510	107	7.1	89	5.9	18	1.2
Howard	2,909	749	25.7	717	24.6	32	1.1
SIXTH CIRCUIT	**5,494**	**383**	**7.0**	**126**	**2.3**	**257**	**4.7**
Frederick	1,287	41	3.2	22	1.7	19	1.5
Montgomery	4,207	342	8.1	104	2.5	238	5.6
SEVENTH CIRCUIT	**10,998**	**989**	**9.0**	**598**	**5.4**	**391**	**3.6**
Calvert	986	32	3.2	23	2.3	9	0.9
Charles	1,055	66	6.3	9	0.9	57	5.4
Prince George's	7,912	352	4.5	37	0.5	315	4.0
St. Mary's	1,045	539	51.6	529	50.6	10	1.0
EIGHTH CIRCUIT	**12,757**	**1,743**	**13.7**	**1,259**	**9.9**	**484**	**3.8**
Baltimore City	12,757	1,743	13.7	1,259	9.9	484	3.8
STATE	**56,238**	**7,624**	**13.6**	**5,768**	**10.3**	**1,856**	**3.3**

NOTE: See note on Table CC-10.

TABLE CC-25

FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES TRIED

FISCAL 1986—FISCAL 1990

	1985-86	1986-87	1987-88	1988-89	1989-90
FIRST CIRCUIT	**598**	**805**	**689**	**885**	**729**
Dorchester	110	93	115	195	140
Somerset	46	54	42	137	90
Wicomico	186	187	206	166	203
Worcester	256	471	326	387	296
SECOND CIRCUIT	**239**	**363**	**224**	**524**	**502**
Caroline	23	59	40	35	17
Cecil	109	125	112	107	142
Kent	5	9	3	8	3
Queen Anne's	52	3	22	25	24
Talbot	50	167	47	349	316
THIRD CIRCUIT	**291**	**404**	**413**	**353**	**801**
Baltimore	188	340	313	260	735
Harford	103	64	100	93	66
FOURTH CIRCUIT	**164**	**179**	**183**	**166**	**164**
Allegany	64	50	47	43	45
Garrett	22	17	4	17	24
Washington	78	112	132	106	95
FIFTH CIRCUIT	**813**	**659**	**662**	**1,515**	**2,313**
Anne Arundel	422	490	450	855	1,457
Carroll	96	66	119	125	107
Howard	295	103	93	535	749
SIXTH CIRCUIT	**457**	**503**	**647**	**510**	**383**
Frederick	169	44	41	55	41
Montgomery	288	459	606	455	342
SEVENTH CIRCUIT	**263**	**268**	**335**	**458**	**989**
Calvert	32	24	29	30	32
Charles	53	56	35	63	66
Prince George's	168	178	257	358	352
St. Mary's	10	10	14	7	539
EIGHTH CIRCUIT	**791**	**763**	**1,167**	**942**	**1,743**
Baltimore City	791	763	1,167	942	1,743
STATE	**3,616**	**3,944**	**4,320**	**5,353**	**7,624**

NOTE: See note on Table CC-10.

TABLE CC-26

CRIMINAL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	181 Days	361 Days
FIRST CIRCUIT								
Dorchester	536	168	156	2.6	15.3	41.8	63.1	96.3
Somerset	386	143	131	6.5	18.1	51.6	79.3	96.4
Wicomico	1,015	84	83	33.4	65.8	83.3	95.4	99.8
Worcester	513	128	122	14.8	33.1	53.8	80.7	98.1
SECOND CIRCUIT								
Caroline	168	148	141	13.1	28.0	45.8	71.4	98.2
Cecil	560	170	156	6.4	13.2	27.5	67.1	97.5
Kent	137	175	161	5.8	17.5	26.3	59.9	95.6
Queen Anne's	221	158	133	9.5	18.1	39.4	83.7	99.1
Talbot	377	166	153	6.6	14.9	33.2	66.6	95.8
THIRD CIRCUIT								
Baltimore	7,034	167	104	19.5	45.2	68.0	85.7	95.5
Harford	1,434	200	142	10.5	29.8	43.4	61.6	86.6
FOURTH CIRCUIT								
Allegany	375	164	145	10.4	27.2	45.3	61.1	94.4
Garrett	147	127	124	15.0	30.6	51.7	80.3	98.6
Washington	1,081	145	135	12.2	27.0	45.2	78.1	97.1
FIFTH CIRCUIT								
Anne Arundel	3,070	191	139	15.7	27.2	40.7	62.9	89.1
Carroll	1,285	191	149	4.2	21.6	40.3	66.1	93.6
Howard	2,199	156	132	4.7	36.1	51.5	74.4	95.1
SIXTH CIRCUIT								
Frederick	1,234	173	160	8.2	20.5	33.0	58.5	95.9
Montgomery	2,966	224	144	20.2	28.8	36.8	52.4	81.9
SEVENTH CIRCUIT								
Calvert	807	103	102	23.8	49.8	70.4	89.3	99.6
Charles	853	151	144	7.6	15.5	36.1	75.3	97.8
Prince George's	6,967	143	123	17.2	38.6	55.4	74.3	95.1
St. Mary's	936	165	140	13.2	24.9	36.1	71.4	93.7
EIGHTH CIRCUIT								
Baltimore City	12,481	137	104	33.3	42.7	60.4	79.5	95.2
STATE	**46,782**	**157**	**121**	**20.0**	**36.5**	**53.8**	**74.7**	**94.1**

NOTE: This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-27

FIVE-YEAR COMPARATIVE TABLE
JUVENILE CAUSES
FILINGS AND TERMINATIONS

FISCAL 1986—FISCAL 1990

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1985-86		1986-87		1987-88		1988-89		1989-90	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**613**	**575**	**622**	**608**	**576**	**572**	**757**	**708**	**792**	**719**
Dorchester	136	135	157	146	96	98	151	122	190	189
Somerset	63	51	93	86	87	84	58	48	107	84
Wicomico	218	227	196	187	183	187	302	303	276	256
Worcester	196	162	176	189	210	203	246	235	219	190
SECOND CIRCUIT	**683**	**644**	**774**	**757**	**708**	**684**	**924**	**901**	**1,265**	**1,174**
Caroline	101	91	79	79	88	101	102	98	96	80
Cecil	319	302	341	346	302	270	366	379	628	541
Kent	45	42	48	45	47	42	42	39	65	51
Queen Anne's	106	103	127	116	114	117	203	183	213	230
Talbot	112	106	179	171	157	154	211	202	263	272
THIRD CIRCUIT	**4,463**	**4,558**	**4,672**	**4,499**	**4,246**	**4,361**	**4,330**	**4,170**	**4,642**	**4,232**
Baltimore	3,719	3,861	3,975	3,864	3,425	3,372	3,478	3,341	3,862	3,524
Harford	744	697	697	635	821	989	852	829	780	708
FOURTH CIRCUIT	**1,231**	**1,162**	**999**	**1,010**	**1,051**	**1,034**	**1,286**	**1,192**	**1,151**	**1,057**
Allegany	439	403	266	295	295	286	313	270	275	271
Garrett	90	87	101	89	146	155	151	156	157	135
Washington	702	672	632	626	610	593	822	766	719	651
FIFTH CIRCUIT	**4,718**	**4,369**	**4,703**	**4,623**	**4,191**	**4,063**	**4,279**	**4,024**	**4,629**	**4,168**
Anne Arundel	3,468	3,246	3,508	3,458	3,036	2,936	3,191	2,881	3,340	3,055
Carroll	558	492	638	619	610	661	681	591	566	574
Howard	692	631	557	546	545	466	407	552	723	539
SIXTH CIRCUIT	**4,074**	**4,148**	**4,074**	**3,637**	**2,976**	**2,551**	**3,096**	**2,507**	**3,590**	**3,582**
Frederick	385	372	328	330	332	323	389	324	523	477
Montgomery*	3,689	3,776	3,746	3,307	2,644	2,228	2,707	2,183	3,067	3,105
SEVENTH CIRCUIT	**7,362**	**7,198**	**7,472**	**7,362**	**7,897**	**7,418**	**8,025**	**7,902**	**8,677**	**8,782**
Calvert	320	338	306	254	314	316	273	285	296	269
Charles	818	799	772	777	716	712	685	639	593	598
Prince George's	6,095	5,894	6,149	6,114	6,549	6,156	6,635	6,587	7,415	7,633
St. Mary's	129	167	245	217	318	234	432	391	373	282
EIGHTH CIRCUIT	**11,379**	**10,245**	**12,869**	**12,368**	**13,805**	**12,909**	**13,639**	**12,828**	**14,919**	**12,356**
Baltimore City	11,379	10,245	12,869	12,368	13,805	12,909	13,639	12,828	14,919	12,356
STATE	**34,523**	**32,899**	**36,185**	**34,864**	**35,450**	**33,592**	**36,336**	**34,232**	**39,665**	**36,070**

*Includes juvenile causes processed at the District Court level.

TABLE CC-28

JUVENILE CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	PENDING Beginning of the Year	Filed	Terminated	PENDING End of the Year
FIRST CIRCUIT	**163**	**792**	**719**	**236**
Dorchester	48	190	189	49
Somerset	31	107	84	54
Wicomico	22	276	256	42
Worcester	62	219	190	91
SECOND CIRCUIT	**162**	**1,265**	**1,174**	**253**
Caroline	12	96	80	28
Cecil	79	628	541	166
Kent	13	65	51	27
Queen Anne's	25	213	230	8
Talbot	33	263	272	24
THIRD CIRCUIT	**805**	**4,642**	**4,232**	**1,215**
Baltimore	654	3,862	3,524	992
Harford	151	780	708	223
FOURTH CIRCUIT	**189**	**1,151**	**1,057**	**283**
Allegany	86	275	271	90
Garrett	6	157	135	28
Washington	97	719	651	165
FIFTH CIRCUIT	**1,027**	**4,629**	**4,168**	**1,488**
Anne Arundel	826	3,340	3,055	1,111
Carroll	96	566	574	88
Howard	105	723	539	289
SIXTH CIRCUIT	**2,643**	**3,590**	**3,582**	**2,651**
Frederick	111	523	477	157
Montgomery	2,532	3,067	3,105	2,494
SEVENTH CIRCUIT	**1,815**	**8,677**	**8,782**	**1,710**
Calvert	65	296	269	92
Charles	162	593	598	157
Prince George's	1,472	7,415	7,633	1,254
St. Mary's	116	373	282	207
EIGHTH CIRCUIT	**15,144**	**14,919**	**12,356**	**17,707**
Baltimore City	15,144	14,919	12,356	17,707
STATE	**21,948**	**39,665**	**36,070**	**25,543**

See note on Table CC-6.

TABLE CC-29

JUVENILE—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:					
		All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361 Days
FIRST CIRCUIT									
Dorchester	128	48	48	33.6	74.2	96.9	100.0	100.0	100.0
Somerset	58	96	19	70.7	89.7	94.8	94.8	94.8	94.8
Wicomico	171	39	38	40.9	88.9	96.5	97.1	99.4	100.0
Worcester	144	62	52	23.6	71.5	93.8	96.5	97.2	98.6
SECOND CIRCUIT									
Caroline	43	70	70	23.3	55.8	86.0	95.3	100.0	100.0
Cecil	276	76	59	24.6	59.8	87.7	93.1	96.0	97.1
Kent	41	64	58	17.1	58.5	90.2	97.6	97.6	100.0
Queen Anne's	102	59	57	20.6	65.7	95.1	98.0	99.0	100.0
Talbot	93	91	77	19.4	51.6	76.3	82.8	94.6	97.8
THIRD CIRCUIT									
Baltimore	2,220	66	56	28.4	58.7	89.7	95.2	97.9	98.6
Harford	413	58	58	23.7	48.4	93.5	99.5	100.0	100.0
FOURTH CIRCUIT									
Allegany	209	61	58	26.3	66.5	90.9	95.7	99.0	99.0
Garrett	94	44	44	46.8	84.0	92.6	93.6	100.0	100.0
Washington	327	47	46	37.6	71.6	97.9	99.4	99.7	100.0
FIFTH CIRCUIT									
Anne Arundel	1,294	101	91	8.0	24.9	73.5	92.4	97.1	98.5
Carroll	301	64	63	13.6	60.1	90.4	96.3	99.7	99.7
Howard	283	72	65	15.9	47.0	91.2	94.7	97.9	98.6
SIXTH CIRCUIT									
Frederick	324	106	88	21.3	46.0	67.0	83.0	94.4	96.9
Montgomery	1,767	161	111	7.8	17.9	50.6	75.5	86.7	92.4
SEVENTH CIRCUIT									
Calvert	184	77	66	22.3	54.9	81.0	95.7	96.7	98.9
Charles	368	77	72	7.9	33.4	93.5	97.6	98.4	99.7
Prince George's	3,739	80	73	15.7	42.7	86.9	96.1	98.5	99.0
St. Mary's	181	86	82	9.9	37.0	82.9	95.0	98.3	99.4
EIGHTH CIRCUIT									
Baltimore City	10,610	88	70	26.9	53.3	81.5	88.9	95.8	97.5
STATE	**23,370**	**88**	**72**	**22.2**	**48.5**	**81.6**	**90.8**	**96.2**	**97.7**

NOTE: This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-30

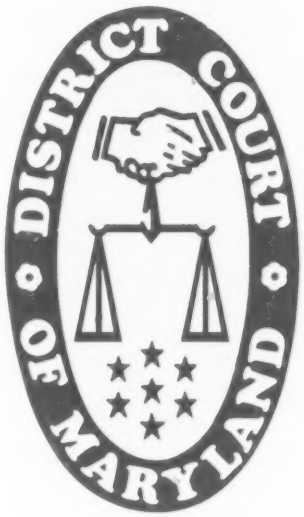
DELINQUENCY TERMINATIONS BY TYPE OF DISPOSITION

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Jurisdiction Waived	Dismissed	Stet	Probation	Social Services	Juvenile Services	Hospital Facility	Institutional	Transferred In	Transferred Out	Continued	Other	TOTAL
FIRST CIRCUIT													
Dorchester	13	26	0	23	1	12	0	30	0	1	0	23	129
Somerset	7	0	0	1	0	5	0	0	0	0	2	12	27
Wicomico	55	12	0	36	2	16	1	18	5	2	0	33	180
Worcester	16	36	0	34	5	10	3	2	1	0	20	18	145
SECOND CIRCUIT													
Caroline	1	6	9	17	2	1	0	13	0	0	0	11	60
Cecil	28	82	0	66	0	11	2	10	0	2	0	3	204
Kent	3	12	0	5	0	13	0	0	0	2	1	4	40
Queen Anne's	4	27	0	36	1	10	0	1	4	3	0	70	156
Talbot	2	17	1	76	7	20	1	3	0	1	1	54	183
THIRD CIRCUIT													
Baltimore	65	265	402	637	31	79	2	27	60	29	0	993	2,590
Harford	1	74	0	137	34	20	0	19	7	11	9	82	394
FOURTH CIRCUIT													
Allegany	0	17	8	57	1	22	0	0	0	5	15	20	145
Garrett	10	5	0	16	3	3	1	19	0	0	0	7	64
Washington	19	15	7	200	8	69	10	20	0	3	0	61	412
FIFTH CIRCUIT													
Anne Arundel	27	291	80	537	34	198	9	14	25	51	365	458	2,089
Carroll	2	37	53	178	11	54	0	0	2	5	0	41	383
Howard	11	56	160	172	10	20	4	2	9	2	0	27	473
SIXTH CIRCUIT													
Frederick	24	70	1	125	13	44	0	0	5	12	0	81	375
Montgomery*	29	760	0	367	94	122	3	41	0	13	52	584	2,065
SEVENTH CIRCUIT													
Calvert	3	20	18	69	5	18	0	0	0	1	0	58	192
Charles	3	80	7	200	1	16	0	37	4	3	0	133	484
Prince George's	174	639	756	1,274	25	179	3	357	0	15	0	2,563	5,985
St. Mary's	0	26	32	49	2	24	0	0	0	1	0	78	212
EIGHTH CIRCUIT													
Baltimore City	492	5,430	0	1,904	7	0	0	5	0	0	0	1,872	9,710
STATE	**989**	**8,003**	**1,534**	**6,216**	**297**	**966**	**39**	**618**	**122**	**162**	**465**	**7,286**	**26,697**

*Juvenile causes for Montgomery County are handled by the District Court.

THE DISTRICT COURT



The District Court

Introduction

The District Court of Maryland was created as the result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969. Operation of the District Court began on July 5, 1971, replacing a miscellaneous system of trial magistrates, people's and municipal courts with a fully State funded court of record possessing statewide jurisdiction.

District Court judges are appointed by the Governor and confirmed by the Senate and are not required to stand for election. The first Chief Judge was designated by the Governor, but all subsequent chief judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

As of July 1, 1989, there were 95 District Court judgeships, including the Chief Judge. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. A chief clerk of the Court is appointed by the Chief Judge. Administrative clerks for each district are also appointed as are commissioners who perform such duties as issuing arrest warrants and setting bail or collateral.

The District Court has jurisdiction in both the criminal, including motor vehicle, and civil areas. It has little equity jurisdiction and has jurisdiction over juvenile causes only in Montgomery County. The exclusive jurisdiction of the District Court generally includes all landlord/tenant cases; replevin actions; motor vehicle violations; criminal cases if the penalty is less than three years imprisonment or does not exceed a fine of $2,500, or both; and civil cases involving amounts not exceeding $2,500. It has concurrent jurisdiction with the circuit courts in civil cases over $2,500 to, but not exceeding, $10,000; and concurrent jurisdiction in misdemeanors and certain enumerated felonies. Since there are no juries provided in the District Court, a person entitled to and electing a jury trial must proceed to the circuit court.

Motor Vehicle

Motor vehicle filings in the District Court of Maryland increased by 4.2 percent during Fiscal Year 1990. That compares to a 0.4 percent increase reported in Fiscal 1989 and a 16.2 percent increase in Fiscal 1988. There were 1,066,296 motor vehicle cases received during Fiscal 1989 compared to 1,110,597 in Fiscal 1990, an increase of 44,301 filings. Three of the five major jurisdictions reported increases during the year. Montgomery County reported the most significant increase (16.7 percent), from 149,457 filings in Fiscal 1989 to 174,463 filings in Fiscal 1990. Prince George's County followed with an increase of 14.7 percent, from 147,349 motor vehicle cases received in Fiscal 1989 to the present level of 169,037 filings. There was a slight increase of 1.4 percent reported in Baltimore County which reported 166,997 filings in Fiscal 1990 compared to 164,698 in Fiscal 1989. Baltimore City and Anne Arundel County decreased by 20 percent and 3.3 percent, respectively. Baltimore City reported more than 24,000 fewer motor vehicle filings while Anne Arundel County reported approximately 3,000 fewer filings.

Not only did the District Court receive more motor vehicle cases, it also disposed of more cases. There were 968,393 motor vehicle cases disposed of during Fiscal 1989 compared to 1,028,899 in Fiscal 1990, an increase of 6.2 percent. The most significant increase was realized in "other dispositions" which include jury trial prayers, nolle prosequi, and stet cases. There was a 13.7 percent increase reported in that category (68,632 cases in Fiscal 1989 compared to 78,020 cases in Fiscal 1990). Cases tried increased by 6.3 percent, from 298,665 in Fiscal 1989 to 317,436 in Fiscal 1990. Cases paid also increased by 5.4 percent, from 601,096 in Fiscal 1989 to the present level of 633,443 paid cases (Table DC-4).

Criminal

After increasing by 7.2 percent in Fiscal 1989, criminal filings increased by slightly more than 2 percent during Fiscal 1990. There were 167,417 filings reported in Fiscal 1989 compared to 170,900 in Fiscal 1990, an increase of 3,483 filings. The slight increase may be attributed to the fact that only two of the five major jurisdictions reported increases, and those increases were quite insignificant. Baltimore City reported an increase of 0.4 percent, while Baltimore County increased by 2.3 percent. Baltimore City and Baltimore County reported 55,812 and 18,545 criminal filings, respectively. Prince George's County, reporting 23,683 filings, decreased by 3 percent. Montgomery and Anne Arundel Counties reported decreases of 0.1 percent each after receiving 13,881 and 14,086 criminal filings in Fiscal 1990, respectively.

Criminal dispositions increased by 12.7 percent, from 156,157 in Fiscal 1989 to 175,948 in Fiscal 1990. Unlike filings, there were increases reported in criminal dispositions in each of the five major jurisdictions. The most significant increase was reported in Prince George's County (30.5 percent), from 20,642 in Fiscal 1989 to 26,937 in Fiscal 1990. Anne Arundel County followed with an increase of 23.3

percent, from 10,694 in Fiscal 1989 to the current level of 13,181 dispositions. Montgomery County reported 12,940 dispositions for an increase of 8.7 percent. Baltimore County and Baltimore City reported 20,293 dispositions (an increase of 8.1 percent) and 59,096 dispositions (an increase of 7.6 percent), respectively (Table DC-4).

Civil

Following the increases reported in the motor vehicle and criminal categories, civil filings increased by 3.3 percent. There were 706,126 civil filings reported in Fiscal 1989 compared to 729,745 in Fiscal 1990, an increase of more than 23,500 filings (Table DC-9). Landlord and tenant filings once again accounted for more than 70 percent of all civil filings with 511,745 cases filed. Contract and tort filings accounted for 25.1 percent of the civil filings (183,415) while the remaining 34,585 (4.8 percent) filings were comprised of "other complaints" which included attachments before judgment, confessed judgments, and replevin actions. Of the 729,745 civil filings, 49,293 (6.8 percent) were contested. That figure represents a slight increase over the percentage of contested cases during the previous year, when 6.3 percent of the cases were contested (Table DC-4).

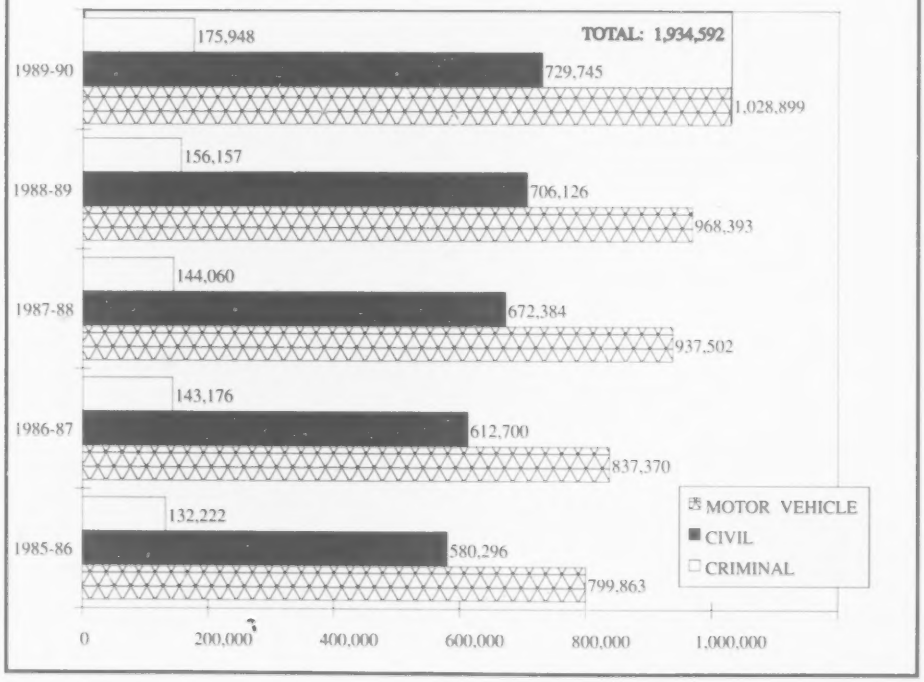
In addition to the civil filings, there were also 23,251 special proceedings cases filed including 2,747 emergency hearings; 5,710 domestic abuse cases; and 243 child abuse cases (Table DC-12).

Trends

The District Court of Maryland continued its upward trend by once again surpassing the total number of cases received in the preceding fiscal year. The number of overall cases filed in the District Court increased by 3.7 percent, from 1,939,839 in Fiscal 1989 to 2,011,242 in Fiscal 1990, making it the highest number of cases filed in the Court's nineteen-year history. For the sixth consecutive year, increases were reported in each of the major categories: motor vehicle, criminal, and civil.

Motor vehicle filings, as well as dispositions have increased steadily over the years. During Fiscal Year 1990, motor vehicle filings increased by 4.2 percent over the previous year. The number of motor vehicle cases processed increased by 6.2 percent. There were 1,028,899 motor vehicle cases processed of which 317,436 (30.9 percent) were contested. The contested rate for Fiscal 1990 was slightly higher than the rate of between 26 and 28 percent that had been established over the last several years. Baltimore City reported the highest number of contested cases with 48,690 cases tried out of 97,262 filed (50.1 percent). Baltimore County followed with 42.1 percent of its cases tried (70,250/166,997)

TABLE DC-1
DISTRICT COURT - CASELOAD BY FISCAL YEAR



followed by Anne Arundel County with 39.7 percent contested rate (34,526/86,905). For the second consecutive year, Baltimore County surpassed Montgomery County in recording the highest number of processed motor vehicle cases. Baltimore County disposed of 159,647 cases compared to 153,308 dispositions in Montgomery County. However, Montgomery County reported the highest number of motor vehicle filings (174,463) followed by Prince George's County with 169,037 filings (Table DC-4).

After increasing steadily over the past five years, driving while intoxicated filings decreased by 5.1 percent, from 44,666 in Fiscal 1989 to the present level of 42,406 filings. Of the five major jurisdictions, Montgomery County was the only one to report an increase in driving while intoxicated filings (Table DC-10).

Following the upward trend, established over the last six years, criminal filings and dispositions continued to increase, by 2.1 percent and 12.7 percent, respectively. Baltimore City continued to contribute the greatest number of filings with 55,812 or 32.7 percent followed by Prince George's County with 23,683 or 13.9 percent. Those two jurisdictions also accounted for the greatest number of criminal dispositions with 33.6 percent and 15.3 percent, respectively. Each of the major jurisdictions reported increases in processed cases with the most significant increase reported in Prince George's County (30.5 percent) followed by Anne Arundel County (23.3 percent) (Table DC-8).

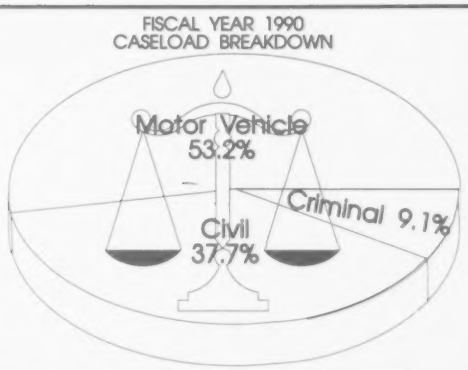
Civil case filings continued their steady climb with an increase of 3.3 percent reported for Fiscal Year 1990. Baltimore City contributed the greatest number of filings with 237,273 or 32.5 percent followed by Prince George's County with 167,860 civil case filings or 23 percent. With respect to category, landlord and tenant cases once again accounted for a significant number of civil case filings reported in Fiscal 1990 (70.1 percent). Over 92 percent of the landlord and tenant filings were reported in the five major jurisdictions with Baltimore City and Prince George's County contributing the greatest amount, 187,835 (36.7 percent) and 125,662 (24.6 percent), respectively. Nearly 7 percent of all civil cases were contested, including 34,826 (6.8 percent) of the landlord and tenant cases and 14,467 (7.9 percent) of the contract and tort cases (Table DC-4).

Although driving while intoxicated cases decreased for the first time in five years, the continuing increase in criminal activity, along with increased civil litigation in the areas of landlord/tenant and contract/tort disputes, will undoubtedly tax the already heavy workload of the District Court. Not only will that increase be evident in the major jurisdictions, but it is noticeable already in the smaller, rural counties (Table DC-3). One factor that may be contributing to the increase in judicial activity in the smaller counties, particularly in the criminal category, is that many of the law enforcement agencies in the metropolitan areas are intensifying their attack on criminals, thus forcing them and their illegal activity to move into the suburban and rural areas. The increased workload, especially in the smaller counties, will place a greater burden on the court system and will require efficient and effective management of the Court's already strained work force.

TABLE DC-2

FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE AND CRIMINAL CASES PROCESSED AND CIVIL CASES FILED IN THE DISTRICT COURT OF MARYLAND

FISCAL 1986—FISCAL 1990



	1985-86	1986-87	1987-88	1988-89	1989-90
DISTRICT 1					
Baltimore City	320,613	333,834	374,633	388,351	399,437
DISTRICT 2					
Dorchester	10,365	12,436	15,210	16,926	17,975
Somerset	5,977	6,404	9,296	10,490	12,738
Wicomico	25,901	28,109	32,094	33,426	35,522
Worcester	19,506	25,407	28,372	27,965	29,509
DISTRICT 3					
Caroline	6,701	7,329	8,734	8,901	8,966
Cecil	34,975	32,208	37,150	40,049	40,503
Kent	4,298	4,909	4,965	5,551	6,298
Queen Anne's	9,557	8,614	11,031	10,976	12,498
Talbot	9,928	9,716	10,974	12,218	13,297
DISTRICT 4					
Calvert	9,623	11,660	12,681	14,211	18,346
Charles	18,236	20,536	22,414	26,317	25,837
St. Mary's	11,886	13,503	15,406	15,969	17,212
DISTRICT 5					
Prince George's	270,378	289,480	297,303	310,803	335,629
DISTRICT 6					
Montgomery	211,692	208,649	230,000	225,437	237,890
DISTRICT 7					
Anne Arundel	97,212	97,885	111,372	128,460	132,458
DISTRICT 8					
Baltimore	239,099	256,269	275,020	286,069	308,796
DISTRICT 9					
Harford	40,325	44,328	53,188	52,276	55,694
DISTRICT 10					
Carroll	19,223	21,257	23,632	25,884	28,803
Howard	58,514	63,251	69,831	74,096	74,168
DISTRICT 11					
Frederick	39,127	43,305	48,925	52,339	55,634
Washington	28,748	31,786	34,771	35,880	37,102
DISTRICT 12					
Allegany	13,039	14,890	18,048	18,956	21,094
Garrett	7,458	7,481	8,896	9,126	9,186
STATE	**1,512,381**	**1,593,246**	**1,753,946**	**1,830,676**	**1,934,592**

TABLE DC-3

COMPARATIVE TABLE ON CASES FILED OR PROCESSED IN THE DISTRICT COURT OF MARYLAND

FISCAL 1989—FISCAL 1990

	MOTOR VEHICLE CASES PROCESSED			CRIMINAL CASES PROCESSED			CIVIL CASES FILED		
	1988-89	1989-90	% Change	1988-89	1989-90	% Change	1988-89	1989-90	% Change
DISTRICT 1									
Baltimore City	99,416	103,068	3.7	54,920	59,096	7.6	234,015	237,273	1.4
DISTRICT 2									
Dorchester	12,398	12,711	2.5	1,599	1,996	24.8	2,929	3,268	11.6
Somerset	8,492	10,394	22.4	733	882	20.3	1,265	1,462	15.6
Wicomico	21,955	23,808	8.4	2,674	2,729	2.1	8,797	8,985	2.1
Worcester	21,762	23,148	6.4	3,209	3,338	4.0	2,994	3,023	1.0
DISTRICT 3									
Caroline	6,411	6,201	-3.3	812	926	14.0	1,678	1,839	9.6
Cecil	34,886	34,694	-0.6	2,112	2,568	21.6	3,051	3,241	6.2
Kent	3,608	3,956	9.6	470	504	7.2	1,473	1,838	24.8
Queen Anne's	8,840	10,114	14.4	591	710	20.1	1,545	1,674	8.3
Talbot	9,101	9,895	8.7	918	1,160	26.4	2,199	2,242	2.0
DISTRICT 4									
Calvert	10,686	14,626	36.9	1,521	2,148	41.2	2,004	1,572	-21.6
Charles	16,765	16,224	-3.2	3,632	3,725	2.6	5,920	5,888	-0.5
St. Mary's	10,026	10,335	3.1	2,008	2,297	14.4	3,935	4,580	16.4
DISTRICT 5									
Prince George's	126,732	140,832	11.1	20,642	26,937	30.5	163,429	167,860	2.7
DISTRICT 6									
Montgomery	142,684	153,308	7.4	11,904	12,940	8.7	70,849	71,642	1.1
DISTRICT 7									
Anne Arundel	80,628	85,254	5.7	10,694	13,181	23.3	37,138	34,023	-8.4
DISTRICT 8									
Baltimore	150,863	159,647	5.8	18,773	20,293	8.1	116,433	128,856	10.7
DISTRICT 9									
Harford	39,571	41,544	5.0	2,847	3,361	18.1	9,858	10,789	9.4
DISTRICT 10									
Carroll	19,126	21,890	14.5	2,461	2,697	9.6	4,297	4,216	-1.9
Howard	56,895	55,799	-1.9	3,871	4,305	11.2	13,330	14,064	5.5
DISTRICT 11									
Frederick	39,713	41,821	5.3	3,355	3,650	8.8	9,271	10,163	9.6
Washington	25,809	25,462	-1.3	3,323	3,632	9.3	6,748	8,008	18.7
DISTRICT 12									
Allegany	14,764	16,637	12.7	2,059	2,039	-1.0	2,133	2,418	13.4
Garrett	7,262	7,531	3.7	1,029	834	-19.0	835	821	-1.7
STATE	**968,393**	**1,028,899**	**6.2**	**156,157**	**175,948**	**12.7**	**706,126**	**729,745**	**3.3**

TABLE DC-4

MOTOR VEHICLE, CRIMINAL, AND CIVIL CASES FILED AND PROCESSED IN THE DISTRICT COURT OF MARYLAND

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	MOTOR VEHICLE CASES					CRIMINAL CASES		CIVIL CASES							TOTAL CASES FILED
								Landlord and Tenant		Contract and Tort		Other Com-	Total		
	Cases Filed	Cases Tried	Cases Paid	Other Dispo-sitions	Total Cases Processed	Cases Filed	Cases Processed	Filed	Con-tested	Filed	Con-tested	plaints Filed	Filed	Con-tested	
DISTRICT 1	**97,262**	**48,690**	**47,815**	**6,563**	**103,068**	**55,812**	**59,096**	**187,835**	**18,675**	**41,800**	**3,297**	**7,638**	**237,273**	**21,972**	**390,347**
Baltimore City	97,262	48,690	47,815	6,563	103,068	55,812	59,096	187,835	18,675	41,800	3,297	7,638	237,273	21,972	390,347
DISTRICT 2	**77,388**	**10,422**	**54,712**	**4,927**	**70,061**	**9,773**	**8,945**	**6,659**	**1,060**	**8,932**	**920**	**1,147**	**16,738**	**1,980**	**103,899**
Dorchester	13,474	2,807	9,437	467	12,711	1,947	1,996	942	112	2,097	163	229	3,268	275	18,689
Somerset	12,168	838	9,227	329	10,394	920	882	375	43	951	206	136	1,462	249	14,550
Wicomico	25,662	2,856	19,152	1,800	23,808	3,005	2,729	4,777	807	3,732	236	476	8,985	1,043	37,652
Worcester	26,084	3,921	16,896	2,331	23,148	3,901	3,338	565	98	2,152	315	306	3,023	413	33,008
DISTRICT 3	**73,218**	**11,731**	**49,166**	**3,963**	**64,860**	**6,264**	**5,868**	**2,662**	**471**	**6,991**	**436**	**1,181**	**10,834**	**907**	**90,316**
Caroline	6,479	1,272	4,360	569	6,201	993	926	365	85	1,301	71	173	1,839	156	9,311
Cecil	40,616	5,398	27,193	2,103	34,694	2,774	2,568	1,140	232	1,775	169	326	3,241	401	46,631
Kent	4,254	587	3,185	184	3,956	540	504	267	48	1,282	53	289	1,838	101	6,632
Queen Anne's	11,011	2,038	7,296	780	10,114	771	710	220	40	1,242	75	212	1,674	115	13,456
Talbot	10,858	2,436	7,132	327	9,895	1,186	1,160	670	66	1,391	68	181	2,242	134	14,286
DISTRICT 4	**42,341**	**10,261**	**23,219**	**7,705**	**41,185**	**8,332**	**8,170**	**5,068**	**508**	**5,787**	**418**	**1,185**	**12,040**	**926**	**62,713**
Calvert	14,960	4,423	7,947	2,256	14,626	1,872	2,148	345	73	968	73	259	1,572	146	18,404
Charles	16,687	4,122	9,122	2,980	16,224	3,922	3,725	2,305	220	3,014	209	569	5,888	429	26,497
St. Mary's	10,694	1,716	6,150	2,469	10,335	2,538	2,297	2,418	215	1,805	136	357	4,580	351	17,812
DISTRICT 5	**169,037**	**36,632**	**90,208**	**13,992**	**140,832**	**23,683**	**26,937**	**125,662**	**6,930**	**34,385**	**938**	**7,813**	**167,860**	**7,868**	**360,580**
Prince George's	169,037	36,632	90,208	13,992	140,832	23,683	26,937	125,662	6,930	34,385	938	7,813	167,860	7,868	360,580
DISTRICT 6	**174,463**	**41,390**	**102,153**	**9,765**	**153,308**	**13,881**	**12,940**	**43,044**	**2,066**	**25,055**	**2,865**	**3,543**	**71,642**	**4,931**	**259,986**
Montgomery	174,463	41,390	102,153	9,765	153,308	13,881	12,940	43,044	2,066	25,055	2,865	3,543	71,642	4,931	259,986
DISTRICT 7	**86,905**	**34,526**	**42,524**	**8,204**	**85,254**	**14,086**	**13,181**	**20,241**	**997**	**11,545**	**1,085**	**2,237**	**34,023**	**2,082**	**135,014**
Anne Arundel	86,905	34,526	42,524	8,204	85,254	14,086	13,181	20,241	997	11,545	1,085	2,237	34,023	2,082	135,014
DISTRICT 8	**166,997**	**70,250**	**82,031**	**7,366**	**159,647**	**18,545**	**20,293**	**97,179**	**2,096**	**26,194**	**2,492**	**5,483**	**128,856**	**4,588**	**314,398**
Baltimore	166,997	70,250	82,031	7,366	159,647	18,545	20,293	97,179	2,096	26,194	2,492	5,483	128,856	4,588	314,398
DISTRICT 9	**43,964**	**12,565**	**27,132**	**1,847**	**41,544**	**3,316**	**3,361**	**5,883**	**559**	**4,022**	**287**	**884**	**10,789**	**846**	**58,069**
Harford	43,964	12,565	27,132	1,847	41,544	3,316	3,361	5,883	559	4,022	287	884	10,789	846	58,069
DISTRICT 10	**81,648**	**23,152**	**48,383**	**6,154**	**77,689**	**6,923**	**7,002**	**10,447**	**402**	**6,519**	**775**	**1,314**	**18,280**	**1,177**	**106,851**
Carroll	25,150	6,258	14,037	1,595	21,890	2,637	2,697	1,275	121	2,416	169	525	4,216	290	32,003
Howard	56,498	16,894	34,346	4,559	55,799	4,286	4,305	9,172	281	4,103	606	789	14,064	887	74,848
DISTRICT 11	**71,708**	**12,760**	**48,530**	**5,993**	**67,283**	**6,995**	**7,282**	**6,545**	**765**	**9,830**	**653**	**1,796**	**18,171**	**1,418**	**96,874**
Frederick	44,832	8,604	29,715	3,502	41,821	3,508	3,650	3,803	320	5,472	424	888	10,163	744	58,503
Washington	26,876	4,156	18,815	2,491	25,462	3,487	3,632	2,742	445	4,358	229	908	8,008	674	38,371
DISTRICT 12	**25,666**	**5,057**	**17,570**	**1,541**	**24,168**	**3,290**	**2,873**	**520**	**297**	**2,355**	**301**	**364**	**3,239**	**598**	**32,195**
Allegany	17,806	3,193	12,351	1,093	16,637	2,243	2,039	435	285	1,730	222	253	2,418	507	22,467
Garrett	7,860	1,864	5,219	448	7,531	1,047	834	85	12	625	79	111	821	91	9,728
STATE	**1,110,597**	**317,436**	**633,443**	**78,020**	**1,028,899**	**170,900**	**175,948**	**511,745**	**34,826**	**183,415**	**14,467**	**34,585**	**729,745**	**49,293**	**2,011,242**

TABLE DC-5

POPULATION AND CASELOAD PER DISTRICT COURT JUDGE[a]
AS OF JUNE 30, 1990

JULY 1, 1989—JUNE 30, 1990
FISCAL 1990

	Number of Judges	Population Per Judge[b]	CASES FILED OR PROCESSED PER JUDGE			
			Civil	Motor Vehicle	Criminal	Total
DISTRICT 1						
Baltimore City	23	32,226	10,316	4,481	2,569	17,366
DISTRICT 2						
Dorchester	1	30,300	3,268	12,711	1,996	17,975
Somerset	1	20,000	1,462	10,394	882	12,738
Wicomico	1	74,600	8,985	23,808	2,729	35,522
Worcester	1	40,100	3,023	23,148	3,338	29,509
DISTRICT 3						
Caroline	1	26,000	1,839	6,201	926	8,966
Cecil	2	37,000	1,621	17,347	1,284	20,252
Kent	1	17,300	1,838	3,956	504	6,298
Queen Anne's	1	34,100	1,674	10,114	710	12,498
Talbot	1	28,600	2,242	9,895	1,160	13,297
DISTRICT 4						
Calvert	1	52,700	1,572	14,626	2,148	18,346
Charles	2	51,700	2,944	8,112	1,863	12,919
St. Mary's	1	75,300	4,580	10,335	2,297	17,212
DISTRICT 5						
Prince George's	11	63,918	15,260	12,803	2,449	30,512
DISTRICT 6						
Montgomery	9[c]	83,600	7,960	17,034	1,438	26,432
DISTRICT 7						
Anne Arundel	7	62,100	4,860	12,179	1,883	18,922
DISTRICT 8						
Baltimore	12	57,225	10,738	13,304	1,691	25,733
DISTRICT 9						
Harford	3	58,633	3,596	13,848	1,120	18,564
DISTRICT 10						
Carroll	2	63,250	2,108	10,945	1,349	14,402
Howard	4	44,775	3,516	13,950	1,076	18,542
DISTRICT 11						
Frederick	2	74,400	5,082	20,911	1,825	27,818
Washington	2	59,900	4,004	12,731	1,816	18,551
DISTRICT 12						
Allegany	2	36,350	1,209	8,319	1,020	10,548
Garrett	1	26,500	821	7,531	834	9,186
STATE	**92**	**51,563**	**7,932**	**11,184**	**1,912**	**21,028**

[a]Chief Judge of District Court not included in statistics. Number of judges as of June 30, 1990.
[b]Population estimate for July 1, 1990, issued by the Maryland Center for Health Statistics.
[c]Two Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-6

CASES FILED OR PROCESSED IN THE DISTRICT COURT OF MARYLAND PER THOUSAND POPULATION

JULY 1, 1989—JUNE 30, 1990 FISCAL 1990

	Population*	Civil Filed	Motor Vehicle Processed	Criminal Processed	Total
DISTRICT 1					
Baltimore City	741,200	320	139	80	539
DISTRICT 2					
Dorchester	30,300	108	420	66	594
Somerset	20,000	73	520	44	637
Wicomico	74,600	120	319	37	476
Worcester	40,100	75	577	83	735
DISTRICT 3					
Caroline	26,000	71	239	36	346
Cecil	74,000	44	469	35	548
Kent	17,300	106	229	29	364
Queen Anne's	34,100	49	297	21	367
Talbot	28,600	78	346	41	465
DISTRICT 4					
Calvert	52,700	30	278	41	349
Charles	103,400	57	157	36	250
St. Mary's	75,300	61	137	31	229
DISTRICT 5					
Prince George's	703,100	239	200	38	477
DISTRICT 6					
Montgomery	752,400	95	204	17	316
DISTRICT 7					
Anne Arundel	434,700	78	196	30	304
DISTRICT 8					
Baltimore	686,700	188	232	30	450
DISTRICT 9					
Harford	175,900	61	236	19	316
DISTRICT 10					
Carroll	126,500	33	173	21	227
Howard	179,100	79	312	24	415
DISTRICT 11					
Frederick	148,800	68	281	25	374
Washington	119,800	67	213	30	310
DISTRICT 12					
Allegany	72,700	33	229	28	290
Garrett	26,500	31	284	31	346
STATE	**4,743,800**	**154**	**217**	**37**	**408**

*Population estimate for July 1, 1990, issued by the Maryland Center for Health Statistics.

TABLE DC-7

FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE CASES PROCESSED
BY THE DISTRICT COURT OF MARYLAND

FISCAL 1986—FISCAL 1990

	1985-86	1986-87	1987-88	1988-89	1989-90
DISTRICT 1					
Baltimore City	62,439	70,816	85,702	99,416	103,068
DISTRICT 2					
Dorchester	7,663	9,007	11,567	12,398	12,711
Somerset	4,602	4,897	7,675	8,492	10,394
Wicomico	18,201	18,045	20,730	21,955	23,808
Worcester	14,425	19,769	22,712	21,762	23,148
DISTRICT 3					
Caroline	4,668	5,256	6,469	6,411	6,201
Cecil	30,204	27,080	31,434	34,886	34,694
Kent	2,425	2,986	2,897	3,608	3,956
Queen Anne's	7,972	6,634	9,058	8,840	10,114
Talbot	8,019	7,545	8,484	9,101	9,895
DISTRICT 4					
Calvert	7,176	8,826	10,029	10,686	14,626
Charles	12,669	13,715	14,754	16,765	16,224
St. Mary's	8,828	9,440	10,555	10,026	10,335
DISTRICT 5					
Prince George's	113,503	121,690	126,164	126,732	140,832
DISTRICT 6					
Montgomery	148,355	143,200	157,619	142,684	153,308
DISTRICT 7					
Anne Arundel	57,193	55,815	65,283	80,628	85,254
DISTRICT 8					
Baltimore	135,422	141,929	150,071	150,863	159,647
DISTRICT 9					
Harford	29,013	31,771	39,363	39,571	41,544
DISTRICT 10					
Carroll	14,304	15,928	17,197	19,126	21,890
Howard	44,826	49,414	54,753	56,895	55,799
DISTRICT 11					
Frederick	31,776	34,752	38,612	39,713	41,821
Washington	20,425	21,867	24,884	25,809	25,462
DISTRICT 12					
Allegany	9,574	11,004	14,230	14,764	16,637
Garrett	6,181	5,984	7,260	7,262	7,531
STATE	**799,863**	**837,370**	**937,502**	**968,393**	**1,028,899**

TABLE DC-8

FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES BY THE NUMBER OF DEFENDANTS CHARGED
PROCESSED IN THE DISTRICT COURT OF MARYLAND

FISCAL 1986—FISCAL 1990

	1985-86	1986-87	1987-88	1988-89	1989-90
DISTRICT 1					
Baltimore City	48,586	52,619	51,414	54,920	59,096
DISTRICT 2					
Dorchester	1,097	1,118	1,347	1,599	1,996
Somerset	582	601	620	733	882
Wicomico	1,995	1,976	2,474	2,674	2,729
Worcester	2,800	3,224	2,955	3,209	3,338
DISTRICT 3					
Caroline	808	921	894	812	926
Cecil	1,803	2,122	2,482	2,112	2,568
Kent	501	512	573	470	504
Queen Anne's	544	580	566	591	710
Talbot	708	921	987	918	1,160
DISTRICT 4					
Calvert	1,017	1,140	1,100	1,521	2,148
Charles	2,148	2,543	2,726	3,632	3,725
St. Mary's	1,037	1,385	1,608	2,008	2,297
DISTRICT 5					
Prince George's	17,292	19,534	18,056	20,642	26,937
DISTRICT 6					
Montgomery	9,762	9,507	10,639	11,904	12,940
DISTRICT 7					
Anne Arundel	9,996	10,875	10,587	10,694	13,181
DISTRICT 8					
Baltimore	17,291	17,199	18,296	18,773	20,293
DISTRICT 9					
Harford	2,742	2,892	2,915	2,847	3,361
DISTRICT 10					
Carroll	1,732	2,021	2,400	2,461	2,697
Howard	3,043	3,338	3,192	3,871	4,305
DISTRICT 11					
Frederick	2,257	2,500	2,618	3,355	3,650
Washington	2,258	3,055	2,982	3,323	3,632
DISTRICT 12					
Allegany	1,669	1,903	1,871	2,059	2,039
Garrett	554	690	758	1,029	834
STATE	**132,222**	**143,176**	**144,060**	**156,157**	**175,948**

TABLE DC-9

FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES FILED
IN THE DISTRICT COURT OF MARYLAND

FISCAL 1986—FISCAL 1990

	1985-86	1986-87	1987-88	1988-89	1989-90
DISTRICT 1					
Baltimore City	209,588	210,399	237,517	234,015	237,273
DISTRICT 2					
Dorchester	1,605	2,311	2,296	2,929	3,268
Somerset	793	906	1,001	1,265	1,462
Wicomico	5,705	8,088	8,890	8,797	8,985
Worcester	2,281	2,414	2,705	2,994	3,023
DISTRICT 3					
Caroline	1,225	1,152	1,371	1,678	1,839
Cecil	2,968	3,006	3,234	3,051	3,241
Kent	1,372	1,411	1,495	1,473	1,838
Queen Anne's	1,041	1,400	1,407	1,545	1,674
Talbot	1,201	1,250	1,503	2,199	2,242
DISTRICT 4					
Calvert	1,430	1,694	1,552	2,004	1,572
Charles	3,419	4,278	4,934	5,920	5,888
St. Mary's	2,021	2,678	3,243	3,935	4,580
DISTRICT 5					
Prince George's	139,583	148,256	153,083	163,429	167,860
DISTRICT 6					
Montgomery	53,575	55,942	61,742	70,849	71,642
DISTRICT 7					
Anne Arundel	30,023	31,195	35,502	37,138	34,023
DISTRICT 8					
Baltimore	86,386	97,141	106,653	116,433	128,856
DISTRICT 9					
Harford	8,570	9,665	10,910	9,858	10,789
DISTRICT 10					
Carroll	3,187	3,308	4,035	4,297	4,216
Howard	10,645	10,499	11,886	13,330	14,064
DISTRICT 11					
Frederick	5,094	6,053	7,695	9,271	10,163
Washington	6,065	6,864	6,905	6,748	8,008
DISTRICT 12					
Allegany	1,796	1,983	1,947	2,133	2,418
Garrett	723	807	878	835	821
STATE	**580,296**	**612,700**	**672,384**	**706,126**	**729,745**

TABLE DC-10

FIVE-YEAR COMPARATIVE TABLE
DRIVING WHILE INTOXICATED CASES RECEIVED BY
THE DISTRICT COURT OF MARYLAND

FISCAL 1986—FISCAL 1990

	1985-86	1986-87	1987-88	1988-89	1989-90	% Change
DISTRICT 1						
Baltimore City	2,875	2,825	2,947	3,048	2,527	-17.1
DISTRICT 2						
Dorchester	457	405	357	342	356	4.1
Somerset	199	162	277	290	298	2.8
Wicomico	467	522	642	716	793	10.8
Worcester	780	908	813	893	957	7.2
DISTRICT 3						
Caroline	172	194	229	272	218	-19.9
Cecil	804	802	854	1,051	1,217	15.8
Kent	158	213	217	190	166	-12.6
Queen Anne's	284	278	304	330	306	-7.3
Talbot	363	306	322	338	357	5.6
DISTRICT 4						
Calvert	569	766	825	984	1,120	13.8
Charles	683	822	1,242	1,181	1,113	-5.8
St. Mary's	509	488	682	604	579	-4.1
DISTRICT 5						
Prince George's	5,128	6,466	6,647	6,860	6,041	-11.9
DISTRICT 6						
Montgomery	5,301	5,117	5,674	5,692	6,179	8.6
DISTRICT 7						
Anne Arundel	3,514	5,453	7,219	7,710	6,877	-10.8
DISTRICT 8						
Baltimore	4,368	4,287	4,645	4,926	4,560	-7.4
DISTRICT 9						
Harford	1,350	1,283	1,511	1,579	1,477	-6.5
DISTRICT 10						
Carroll	549	536	739	714	920	28.9
Howard	2,135	2,114	2,767	3,062	2,493	-18.6
DISTRICT 11						
Frederick	1,091	1,266	1,525	1,752	1,555	-11.2
Washington	768	922	1,002	1,209	1,317	8.9
DISTRICT 12						
Allegany	523	467	522	530	574	8.3
Garrett	255	230	405	393	406	3.3
STATE	**33,302**	**36,832**	**42,367**	**44,666**	**42,406**	**-5.1**

TABLE DC-11

DRIVING WHILE INTOXICATED DISPOSITIONS

FISCAL 1990

	Guilty	Not Guilty	Probation Before Judgment	Nolle Prossed	Stet	Merged	Jury Trial Prayers	Total Dispositions
DISTRICT 1								
Baltimore City	977	160	1,084	177	224	2	271	2,895
DISTRICT 2								
Dorchester	279	14	14	39	2	0	46	394
Somerset	123	25	3	25	6	0	96	278
Wicomico	415	19	116	104	29	0	148	831
Worcester	502	21	52	166	20	0	84	845
DISTRICT 3								
Caroline	211	5	19	24	1	0	18	278
Cecil	578	8	115	68	54	0	213	1,036
Kent	106	4	36	14	11	0	31	202
Queen Anne's	242	11	28	40	1	0	21	343
Talbot	245	14	30	15	1	0	34	339
DISTRICT 4								
Calvert	304	21	188	96	38	0	748	1,395
Charles	797	26	389	71	18	0	104	1,405
St. Mary's	238	20	33	40	21	4	237	593
DISTRICT 5								
Prince George's	714	266	1,482	2,588	188	37	1,302	6,577
DISTRICT 6								
Montgomery	1,473	153	2,918	694	6	0	412	5,656
DISTRICT 7								
Anne Arundel	890	1,245	1,468	1,291	276	780	953	6,903
DISTRICT 8								
Baltimore	1,307	171	2,456	166	46	4	1,071	5,221
DISTRICT 9								
Harford	329	17	636	53	34	0	538	1,607
DISTRICT 10								
Carroll	158	32	274	19	1	0	415	899
Howard	728	103	1,149	349	178	222	666	3,395
DISTRICT 11								
Frederick	902	17	585	92	28	0	225	1,849
Washington	872	24	209	35	10	0	257	1,407
DISTRICT 12								
Allegany	501	11	69	17	8	0	34	640
Garrett	382	11	35	13	1	1	42	485
STATE	**13,273**	**2,398**	**13,388**	**6,196**	**1,202**	**1,050**	**7,966**	**45,473**

TABLE DC-12

FIVE-YEAR COMPARATIVE TABLE
EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS
HELD IN THE DISTRICT COURT OF MARYLAND

FISCAL 1986—FISCAL 1990

	EMERGENCY HEARINGS					DOMESTIC ABUSE				
	1985-86	1986-87	1987-88	1988-89	1989-90	1985-86	1986-87	1987-88	1988-89	1989-90
DISTRICT 1										
Baltimore City	299	400	550	815	828	1,890	1,848	1,742	2,027	2,120
DISTRICT 2										
Dorchester	8	20	20	22	23	12	21	20	29	31
Somerset	10	20	10	13	12	11	20	7	19	15
Wicomico	27	47	58	65	69	92	99	75	89	114
Worcester	33	34	37	32	17	29	24	32	31	37
DISTRICT 3										
Caroline	3	7	3	3	4	16	18	27	15	21
Cecil	25	42	31	29	26	83	68	86	69	84
Kent	10	8	15	17	13	10	6	9	11	16
Queen Anne's	6	7	3	9	12	12	27	19	24	17
Talbot	7	8	20	16	13	3	7	14	22	18
DISTRICT 4										
Calvert	19	19	7	1	1	13	11	26	15	24
Charles	16	22	27	34	37	1	3	11	23	58
St. Mary's	30	49	49	65	75	46	50	67	74	44
DISTRICT 5										
Prince George's	569	547	546	430	454	385	496	614	673	782
DISTRICT 6										
Montgomery	229	302	145	265	336	324	304	344	405	456
DISTRICT 7										
Anne Arundel	209	233	274	199	223	313	326	387	300	393
DISTRICT 8										
Baltimore	327	371	391	331	383	570	579	656	623	777
DISTRICT 9										
Harford	36	28	14	6	18	26	28	15	4	62
DISTRICT 10										
Carroll	24	25	34	16	42	45	37	53	49	53
Howard	56	38	34	35	57	100	97	85	95	110
DISTRICT 11										
Frederick	50	42	48	35	35	68	113	84	85	147
Washington	18	18	16	24	24	92	102	97	114	129
DISTRICT 12										
Allegany	29	33	35	53	34	102	88	111	116	119
Garrett	16	11	12	20	11	40	48	80	66	83
STATE	**2,056**	**2,331**	**2,379**	**2,535**	**2,747**	**4,283**	**4,420**	**4,661**	**4,978**	**5,710**

JUDICIAL ADMINISTRATION

Judicial Administration

Administrative Office of the Courts

Article IV, § 18(b), of the Maryland Constitution provides that the Chief Judge of the Court of Appeals is the "administrative head of the judicial system of the State."

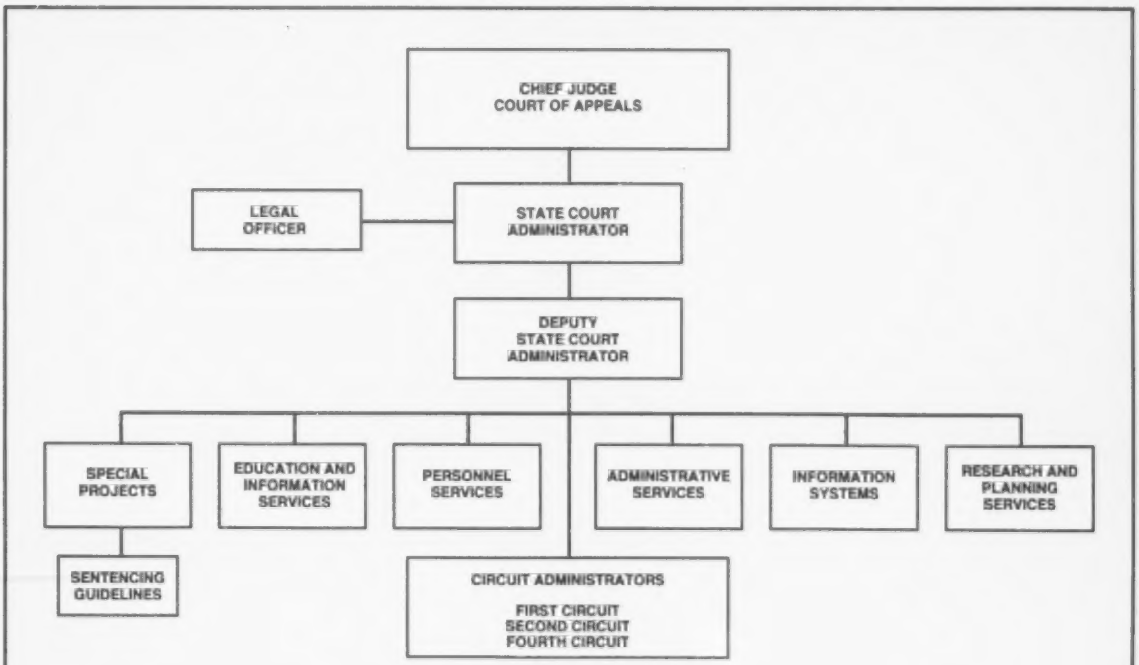
Thirty-five years ago, the Maryland legislature took an additional step to provide the administrative and professional staff necessary to assist the Chief Judge to carry out the administrative responsibilities under the Constitution by enacting § 13-101 of the Courts and Judicial Proceedings Article. This statute established the Administrative Office of the Courts under the direction of the State Court Administrator, appointed and serving at the pleasure of the Chief Judge.

The State Court Administrator and the Administrative Office provide the Chief Judge with advice, information, facilities, and staff to assist in the performance of the Chief Judge's administrative responsibilities. The administrative responsibilities include personnel administration, preparation and administration of the Judiciary budget, liaison with legislative and executive branches, planning and research, education of judges and court support personnel, and staff support to the Maryland Judicial Conference and the Conference of Circuit Judges. In addition, the Administrative Office serves as "Secretariat" to the Appellate and Trial Court Judicial Nominating Commissions established pursuant to Executive Order of the Governor. Personnel are also responsible for the complex operation of data processing systems, collection and analysis of statistics and other management information. The office also assists the Chief Judge in the assignment of active and former judges to cope with case backloads or address shortages of judicial personnel in critical locations.

What follows are some of the details pertaining to certain important activities of the Administrative Office of the Courts during the last twelve months.

Judicial Education and Information Services

Judicial Education. Maryland's trial and appellate judges selected courses from seventeen continuing judicial education programs during 1990. The Judicial Institute of Maryland produced new programs on addictions,



Administrative Office of the Courts

legal history, toxic torts, computers, fairness issues, jury law and procedures and courtroom demeanor and offered core courses on marital property, criminal law and procedure, mental health, capital cases, the right to forego treatment, probation, contempt, UCC, and law and literature. Ninety-five percent of the Judiciary is taking courses in 1990.

Twelve newly appointed trial judges took part in a five-day New Trial Judge Orientation program, June 25-29, 1990. This year the program was expanded to cover additional topics and give more time to some of the core subjects. The formal new judge orientation seminar followed on-the-bench orientation coordinated by the local court at the beginning of each judge's service.

One hundred instructors taught during 1990, several of them participating in two or more courses.

Judges from Connecticut, Delaware, New Jersey, Pennsylvania, Virginia, and West Virginia joined twenty Maryland trial judges for the sixth Interstate Judicial Education Conference in Baltimore on March 29-31, 1990. This conference, concentrating on law enforcement, medical, and legal issues involving drugs, was supported by a generous grant from the Governor's Office of Justice Assistance in Maryland.

Finally, staff and instructors supported the Fifth Judicial Circuit's semi-annual education conferences. The Board also planned the education program of the 1990 Maryland Judicial Conference.

Additional Education Projects. "Building Effective Responses Together," a November 1989 joint conference between the Department of Juvenile Services and the juvenile courts, circulated its report in July 1990. The report recommends specific action by the courts and DJS to better serve Maryland's youth. A second conference is planned for February 1991 to continue the dialogue and to design implementation strategies. This workshop was funded by the State Justice Institute and the Juvenile Justice Advisory Council of Maryland.

JJAC is also supporting a continuing education course for juvenile masters and judges in October which will concentrate on substance abuse and the juvenile court.

The Board of Directors agreed at its December 1989 meeting that masters could participate in Judicial Institute courses related to the subject matter jurisdiction of their master's position and upon approval of the circuit administrative judge. Masters will be included in registration mailings starting with the 1991 program year.

Pending passage of the circuit court clerks' referendum in November, the education unit will assume responsibility for the training of the 1100 members of the clerks' offices. A technical assistance grant has been awarded to the A.O.C. to develop an instrument to determine their training needs.

Educational Technology. During the spring of 1990, the education unit produced a video juror orientation program to replace the slide program currently in use statewide. The generic portion of this program will be matched with a local judge's introduction and courthouse footage for each court's use.

Judicial Information Systems personnel have authored a software program to track the whereabouts of the 309 videotapes, 210 audio tapes and 134 volumes of written materials in our library. In addition, this system will provide information such as which tapes are circulated most frequently so that the Judicial Institute can plan future in-house productions. Finally, we produced a videotape on attorney misconduct for use during the 1990 Judicial Conference program.

Public Information Projects. The Maryland high school mock trial competition is co-sponsored by the Public Awareness Committee of the Maryland Judicial Conference, the Maryland State Bar Association, the Citizenship Law-Related Education Program for the Schools of Maryland and the United States Department of Education. The competition provides an opportunity for students, attorneys, and judges to increase their understanding of and appreciation for the law, court procedures and the legal system.

One hundred and four high school teams from across the State participated in this year's competition. The proceedings were heard by thirty-six Maryland judges and many volunteer attorneys.

The state mock trial final was held in the Court of Appeals on May 11, 1990 and was heard by the Hon. Howard S. Chasanow of the Court of Appeals. The finalist teams were Pikesville High School from Baltimore County and Bishop Walsh High School from Allegany County. Bishop Walsh High School won the 1990 competition.

The Public Awareness Committee met four times this year and continues to study six project proposals that it is considering for implementation next year.

The Select Committee on Gender Equality. In the fall of 1989, judges and attorneys participated in a facilitators training workshop. Since that time, teams from the workshop have been attending judges bench meetings in the State to discuss domestic violence and courtroom demeanor issues.

The twenty-two members of the Select Committee on Gender Equality have devoted their meetings to planning methods to address domestic violence, courtroom demeanor, legislation, complaints and judicial education. This is a joint committee of the Judiciary and the Maryland State Bar Association.

Maryland was selected as the first state in the country to hold a judicial education program on Spousal Support, Child Custody/Visitation Issues. It will be held in November 1990 in Annapolis. Because these issues are so important, funding for this program has been appropriated by the General Assembly of Maryland, the State Justice Institute and the Judiciary. The planning committee for the program consists of judges, academicians, and judicial educators. Circuit court judges and domestic relations masters will be invited to attend.

Judicial Information Systems

Judicial Information Systems (JIS) is responsible for the administration and operation of the Judicial Data Center (JDC), as well as the determination of the needs of the Maryland Judiciary with respect to the automated data system.

The three major projects which will have a dramatic impact on JIS for the next five years were aggressively pursued during FY 1990.

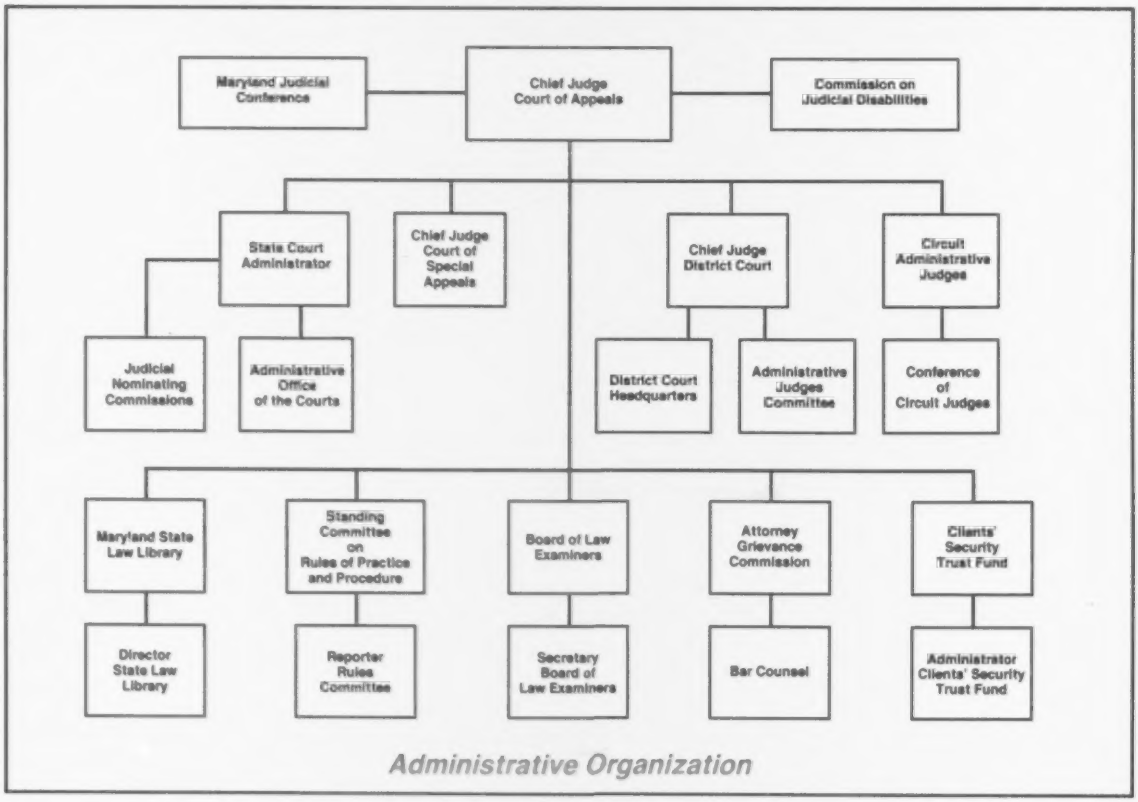
A. District Court—Criminal Scanner System (Barcode). This system is designed to automate three critical manually performed functions; namely, commissioners, accounts receipting and capture of adjudication information. In FY 1990, the system progressed to the point of implementation of the commissioners' activities in most of the statewide jurisdictions. It is expected that complete statewide implemention of all of the segments of this project, including the courtroom segment, will be implemented during FY 1991. Utilizing the barcode scheme could resolve other serious issues and become the backbone for integration of systems within the Maryland Judicial Branch.

B. Eighth Circuit Court—Criminal. This system was redesigned to provide for uniformity of case numbering procedures coupled with standardized charging language. It was aimed at making the Eighth Circuit Court Criminal System compatible with other circuit courts, as well as allowing for the automated transfer of District Court case information. Implementation occurred in the fourth quarter of FY 1990.

C. District Court—Civil. Systems analysis, design and programming for the automated District Court Civil System which will provide timely information on judicial case workload, enhance case management and case tracking functions, reduce court delay of civil case processing and ease the labor-intensive manual process, progressed in FY 1990 to the point that implementation is expected in the first quarter of FY 1991.

In addition to the major projects, progress was made on an automated system that will allow attorney access to certain information maintained online for cases in process by the District and Eighth Circuit Courts. This has been an ongoing issue of some priority evident within the Maryland community. Major technical issues, access security, and methodologies have been resolved and the initial implementation of this system took place during the fourth quarter of FY 1990.

Continued increased demands for access to JDC necessitated enhancements to the telecommunications network managed by JIS. The Office Automation Project, within the jurisdiction of JIS, continued to add software, hardware and communication capabilities, which furthered the effort to increase productivity.


Maryland Judicial Conference
Chief Judge Court of Appeals
Commission on Judicial Disabilities
State Court Administrator
Chief Judge Court of Special Appeals
Chief Judge District Court
Circuit Administrative Judges
Judicial Nominating Commissions
Administrative Office of the Courts
District Court Headquarters
Administrative Judges Committee
Conference of Circuit Judges
Maryland State Law Library
Standing Committee on Rules of Practice and Procedure
Board of Law Examiners
Attorney Grievance Commission
Clients' Security Trust Fund
Director State Law Library
Reporter Rules Committee
Secretary Board of Law Examiners
Bar Counsel
Administrator Clients' Security Trust Fund

Administrative Organization

Based on actual and projected growth rates, in addition to delays encountered by users and court personnel, it was necessary to install a new Central Processing Unit (CPU) to serve the Judiciary in an acceptable manner. In an era where we are exhorting instantaneous update for the Barcode Project, delays such as we were experiencing would not only have been detrimental to project acceptance, but also to expeditious implementation of the major systems. An IBM 3090-180J was selected as the replacement CPU. This will give the computing power necessary to process existing and proposed computer load, install software in a timely manner, and allow JIS to begin migration from antiquated database systems to the new relational databases. Features on this system will allow for greater testing capabilities without affecting productive users.

Judicial Special Projects

The Special Projects section meets operational needs of the State courts and the Administrative Office of the Courts. It also performs research and analytical projects at the request of the Chief Judge of the Court of Appeals. The Sentencing Guidelines section is an additional responsibility of the Special Projects section.

This section provides assistance and coordination of the Judicial Nominating Commissions Orientation Conference for the new members of the various nominating commissions, conducts the election of the attorney members of the nominating commissions and also provides staff to the various nominating commissions when a judicial vacancy occurs.

Staff was provided for the Judicial Conference Civil Committee. The *Policy and Procedures Manual* is routinely updated throughout the year.

The *Annual Report of the Maryland Judiciary 1988-1989* was prepared by this unit in conjunction with the Judicial Research and Planning section.

Judicial Research and Planning Services

One of the primary functions of the Judicial Research and Planning Unit in the Administrative Office of the Courts is to provide research and management information pertaining to the operations of the Maryland court system. This information is disseminated to a wide variety of individuals who are interested in statistical information about the courts at all levels. Some of the regular duties assigned to the unit include: the annual compilation and preparation of workload data for the *Annual Report of the Maryland Judiciary*; the annual preparation of statistical analyses pertaining to judgeship needs found in the Chief Judge's (of the Court of Appeals) *Certification of the Need for Additional Judgeships*; the annual preparation of *The Report to the Legislature on Wiretapping and Electronic Surveillance*; the monthly preparation of the *Sixty-Day Reserved Case Report* on all circuit courts in Maryland; the quarterly preparation of judicial workload reports; the compilation of fiscal research data including circuit court personnel and budget information and the costs to operate the circuit courts; the annual collection of employment data in the Administrative Office of the Courts; and the maintenance of the docket of "out-of-state" attorneys granted or denied special admission to practice under Rule 20 of the Bar Admission Rules.

Over the past several years, Research and Planning has assisted in the carrying out of a number of research projects at the requests of the Chief Judge of the Court of Appeals and the State Court Administrator. One of these projects looked into the impact of jury trial prayers upon the circuit court workload in Maryland. The unit has also assisted in the development and production of a new *Maryland Judicial Ethics Handbook*. This publication will help judges and judicial appointees in referencing questions involving judicial ethics.

Staff from the unit also contributed significant support to several judicial committees of the Judicial Conference as well as the Appellate and Trial Courts Judicial Nominating Commissions.

Judicial Administrative Services

The Judicial Administrative Services Unit prepares and monitors the annual Judiciary budget, excluding the District Court of Maryland. All accounts payable for the Judiciary are processed through this office and accounting records for revenues and accounts payable are kept by the staff in cooperation with the General Accounting Department of the State Comptroller's Office. Payroll activities and the working fund account are also the responsibility of the Judicial Administrative Services staff. Records must be maintained in order for the legislative auditor to perform timely audits on the fiscal activities of the Judiciary. As of July 1, 1986, the Administrative Office accounting system was totally automated, compatible with that of the Comptroller's Office.

General supplies and equipment are purchased by this office. Staff also prepare and solicit competitive bids on all major equipment, furniture, and supplies. This section, along with the Department of General Services, ensures that the Courts of Appeal Building is maintained.

Inventory controls as of July 1, 1987, were established for all furniture and equipment used by the Judiciary, which is an automated control system. This system uses a bar code attached to all equipment and furniture. The inventory is taken by the use of a scanning device which will automatically inventory the equipment and furniture producing financial totals that are required by the State Comptroller's Office. Other responsibilities include maintaining lease agreements for all leased property, monitoring the safety and maintenance records of the Judiciary automobile fleet, and performing special projects as directed by the Chief Judge of the Court of Appeals.

Judicial Personnel Services

The Judicial Personnel Unit continues its research in the areas of employee relations and refinement of procedures and processes for the timely recognition of personnel and their

achievements. New programs have been developed in the areas of service and performance awards and are ready for implementation. It is contemplated that a formal performance evaluation system will be implemented for all nonjudicial personnel.

As a service to prospective retirees, the Personnel Unit continues to provide an estimate of social security benefits to aid in the retirement planning process. This microcomputer based software program computes old age, death and disability benefits under Social Security laws in effect any time since June 1978. Response to the new service continues to be overwhelming.

We have installed a Personal Computer Human Resource System which will track most of the employee information needed by the Judicial Personnel Unit and generate more than 50 standard reports. Some of the capabilities include: complete employee personal information; unlimited job and salary history information; performance reviews; salary analysis; organization information; benefit costs and employee contributions; Affirmative Action and EEO information; and COBRA benefits, etc. The system is compatible with dBase IV, a database management system.

Plans are being developed for a series of one-day workshops for all nonjudicial personnel to implement the "Drug-Free Workplace" as a part of our substance abuse program. The philosophy is to stress the positive, supportive aspects of the Drug-Free Workplace Program.

The Judicial Personnel Unit will continue to explore all of the new technologies both in terms of hardware and software in the human resources information system areas for possible use. Only in this way will we be able to provide management and employees with the most efficient and effective personnel services they need and deserve.

Sentencing Guidelines

For most criminal cases originating in the Maryland circuit courts, guidelines are used to provide judges with information to help them in sentencing and to create a record of all sentences imposed for particular offenses and types of offenders. The guidelines were developed and are evaluated by the judges in consultation with representatives from other criminal justice and related governmental agencies and the private bar. At the direction of the Sentencing Guidelines Board, staff monitor the use of guidelines to ensure the completeness and accuracy of the data used to review and update the guidelines.

Ongoing training in the use of the guidelines exists in several forms. All appointees to the circuit court receive an orientation regarding the function and use of sentencing guidelines. At the annual Judicial Institute, there is an opportunity for new judges to ask questions that may have arisen during their first months of using guidelines. A revised instructional videotape is available for every jurisdiction and is sent upon request. As work sheets are edited, requests for missing information are returned to the circuit. Once returned to the Sentencing Guidelines department, this data is added to the main file for future analysis.

A revised Sentencing Guidelines manual has been distributed and affects all criminal felony sentencing for all crimes committed on or after July 1, 1987. Any crime committed prior to that date is sentenced by using the earlier edition of the manual.

There is a special committee to study the possibility of Sentencing Guidelines for DWI cases. This

City Hall, Baltimore

committee is composed of judges from both the circuit and District Courts as well as representatives from related government agencies and MADD.

Liaison with the Legislative and Executive Branches

The budget is one example of an important area of liaison with both the executive and legislative branches, since judiciary budget requests pass through both and must be given final approval by the latter. In a number of other areas, including the support of or opposition to legislation, the appointment of judges, and criminal justice and other planning, close contact with one or both of the other branches of government is required. On occasion, liaison with local government is also needed. On a day-to-day working level, this liaison is generally supplied by the State Court Administrator and other members of the Administrative Office staff as well as staff members of District Court headquarters. With respect to more fundamental policy issues, including presentation of the State of the Judiciary Message to the General Assembly, the Chief Judge takes an active part. The Chairman of the Conference of Circuit Judges and the Chief Judge of the District Court also participate in liaison activities as appropriate.

Circuit Court Administration

Most of the activities affecting circuit court administration are covered in other sections of this report. Such areas include: analysis of the nature and extent of the circuit court caseload, circuit court expenditures, additional judgeships, assignment of active and former judges, subjects covered by the Conference of Circuit Judges, and legislation enacted in 1989-90 affecting the circuit courts.

In our last Annual Report, we reported on the statewide automation project to provide data processing in the circuit court clerks' offices, to be phased in over time. During the last 12 months, considerable effort has been underway to implement the systems and applications. The systems are partially operational but a comprehensive and in-depth evaluation is underway to determine what course of action the systems will take in the coming fiscal year.

Throughout the fiscal year, circuit courts continued with innovative projects to address their caseloads. The percentage of the total criminal docket in circuit courts comprising prayers for jury trial from the District Court is still a great concern because of the adverse impact on the expeditious disposition of criminal cases. Projects are operational in the Circuit Court for Baltimore City and in Montgomery and Baltimore Counties. Basically, if a defendant says he or she intends to pray a jury trial in the District Court, there is a mechanism in place for that defendant to get a jury trial the same day in the circuit court. After several months in operation, the number of prayers for jury trial have dropped significantly. For example, in Baltimore City, the number of prayers have been reduced from an average of 50 per day to approximately 10 per day. While these projects have indeed proven successful, there is a considerable drain on resources provided by judges, State's Attorneys, and the public defender's office.

Faced with ever-increasing asbestos case filings, scarce judicial resources and already backlogged civil dockets, the circuit courts have taken significant steps to address the problem. In Baltimore City, a concentrated asbestos litigation program was introduced. For the last three years, a retired judge, pursuant to annual appointment, has been designated to oversee, coordinate and dispose of cases involving alleged personal injury and wrongful death asbestos cases. This problem is of particular concern in at least six jurisdictions and the number pending may climb in the coming year. In addition to case management, the former judge hears and resolves motions ranging from the trivial to highly significant issues. An effort will begin in the second half of Fiscal 1991 to consolidate thousands of asbestos personal injury cases pending statewide into one trial where common issues will be resolved, later to be followed by expedited arbitration of other issues.

In Prince George's County, status hearings were inaugurated in the juvenile court and held in every delinquency case approximately two weeks after arraignment. This provides a forum for plea negotiations without the necessity of having witnesses present. It is expected that over time, these hearings will reduce the average period between arraignment and adjudication and disposition and reduce unnecessary appearances by victims, witnesses and police officers. Another innovative project introduced in Prince George's County attempts to alleviate the overcrowding in the courthouse "lockup" and the number of defendants being held in pretrial status in the local detention center. The program calls for all criminal motions and "readiness conferences" to be assigned to two judges two days a week unless otherwise specially assigned. Detainees scheduled for motions and conferences are not transported to the courthouse but brought to a specific area in the detention center. Staff from the State's Attorney's Office and the Office of the Public Defender are provided courtrooms. Procedures provide for both personal and telephone communications between attorneys and clients as to plea negotiations. By mid-day, the courts notify the detention center which detainees need to be brought to the courthouse for an afternoon docket. Its apparent success is evident in the reduced number of prisoners held in the lockup, as well as the decreased congestion of the criminal docket.

Pursuant to certain guidelines and procedures set forth in new Md. Rule 1224, the Circuit Courts for Baltimore City and Prince George's County have embarked on a project to test the use of video tape in court proceedings. In both jurisdictions, a highly sophisticated audio/video recording system is being utilized to record court proceedings to produce a court record. The system incorporates voice-activated microphone equipment strategically placed throughout the courtroom. Transcripts can be made from the audio/

video tapes the same way they are made from audio cassettes. The Rule sets forth certain limitations for use in the appellate process. As part of a pilot project, the system will be evaluated. We will monitor this in the next fiscal year.

Statewide, a number of circuit courts continue to be engaged in space programs involving the completion of expanded facilities or the renovation of existing areas. In Washington County, the addition of a fourth jury courtroom is planned, as well as the renovation to existing courtrooms, chambers, the law library and ancillary offices. Calvert County has plans for a two-story addition to house a second courtroom and expand its space for the clerk's office. Charles County is in the final stages of renovating additional space for the clerk's office and providing a third circuit courtroom and chambers. St. Mary's is presently planning renovations to provide a second courtroom and give the clerk's offices needed room for expansion. Prince George's County expects to occupy the new courthouse addition in late 1991.

District Court of Maryland

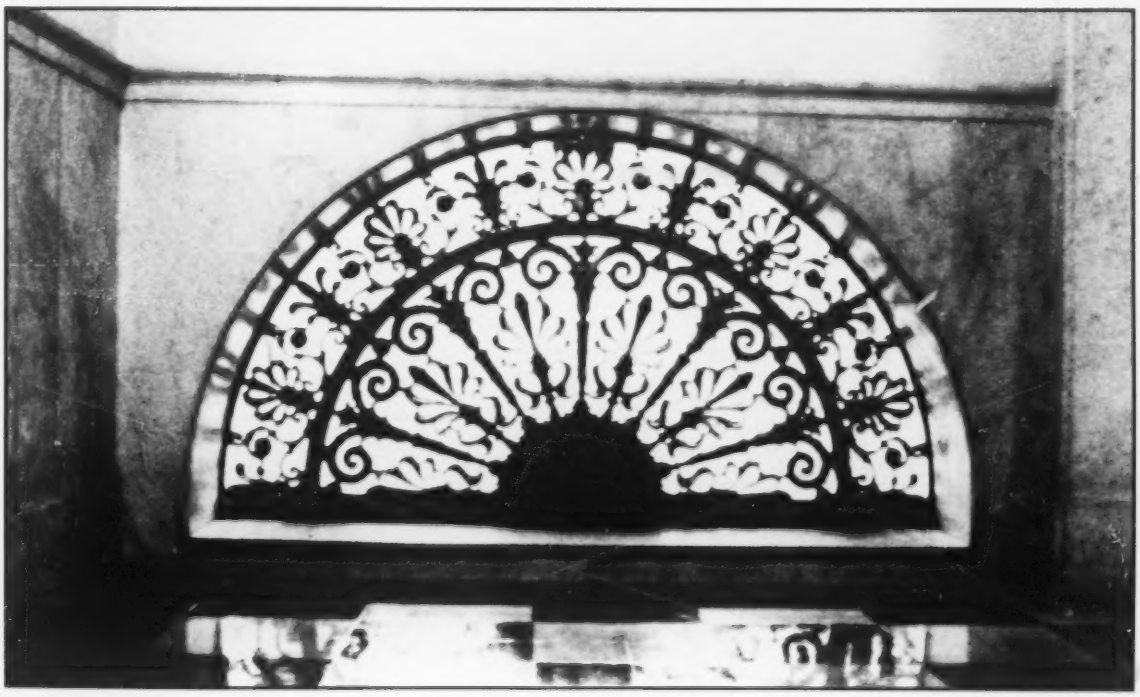
In the fiscal year just concluded most of the administrative impetus was directed at the District Court bar coding system. That system, which promises to revolutionize the Court's clerical operations, is now being utilized by District Court commissioners in Baltimore City and every Maryland county except Montgomery and Prince George's. Within the coming months it is anticipated that the bar coding system will be put into place in those latter counties, and the system's use will be expanded into our courtrooms and clerical offices.

The 1990 fiscal year also saw the Court occupy its new quarters in St. Mary's County, where the State and county put into use a beautiful structure that will serve both governmental entities.

The year also saw the joint Circuit/District Court in Upper Marlboro in Prince George's County under roof. The project, which contains ten courtrooms for the District Court and an even greater number for the Circuit Court, remains on schedule for occupancy in late 1991. Long before that date, the mammoth District Court Multi-Service Center in Salisbury will be in service for the citizens of Wicomico County. That structure, with two courtrooms for District Court use, should enable that busiest of Maryland's Eastern Shore counties to dispose of its judicial workload with appropriate dispatch.

The last year also saw the successful acquisition of a court site in Silver Spring in Montgomery County, where the Court's use of a specially redesigned leased facility should provide convenient judicial service to the hundreds of thousands of Marylanders residing in the Bethesda/Silver Spring/Wheaton area.

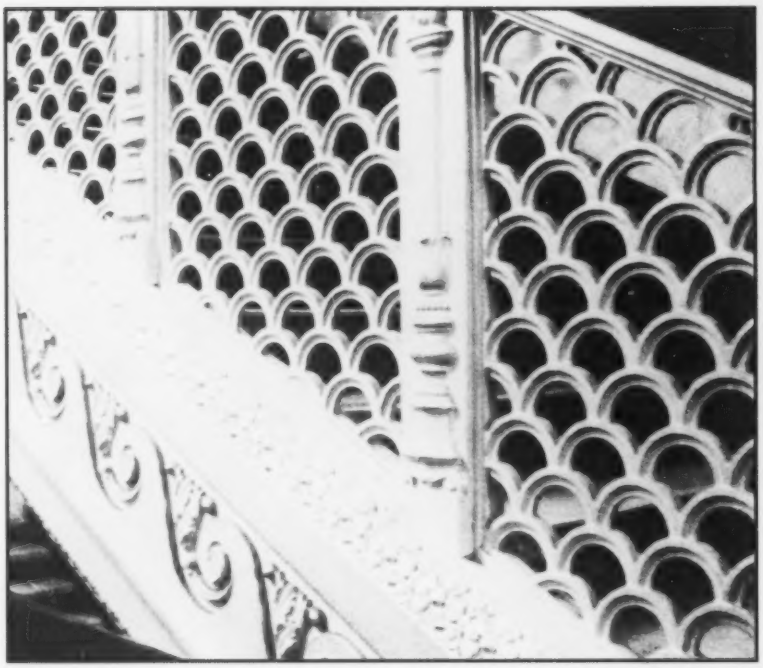
In Baltimore County, efforts to replace the undersized Owings Mills Court continue, but the fiscal year concluded with no decision made as to the general area where the Court should be located in the county's northwest corridor. Agreement was reached, however, with the Baltimore County Revenue Authority for the construction of a major court facility in Towson, to house the Court's



Stairway Landing in Clarence M. Mitchell, Jr., Courthouse, Baltimore

administrative staff and six courtrooms. On the ratification of that agreement by the Board of Public Works, construction could commence within the current fiscal year.

In Fiscal Year 1990, as in the Court's first eighteen years, the Court continues to play a vital and growing role in the lives of the citizens of Maryland. The utilization of modern day technology, together with additions and renovations to the Court's facilities, should enable those who serve in the Court to continue to bring justice to our citizens in appropriate surroundings and an expeditious timeframe.



Wrought Iron Railing in Clarence M. Mitchell, Jr., Courthouse; Baltimore

Assignment of Judges

Article IV, § 18(b) of the Maryland Constitution provides that the Chief Judge has authority to make temporary assignments of active judges to the appellate and trial courts. In addition, pursuant to Article IV, § 3A and § 1-302 of the Courts Article, the Chief Judge, with approval of a majority of the judges of the Court of Appeals, recalls former judges to sit in courts throughout the State.

Section 1-302 of the Courts Article sets forth certain conditions that limit the extent to which a former judge can be recalled. This reservoir of competent judicial manpower has been exceedingly helpful over the last 13 years. Using these judges enhances the Judiciary's ability to cope with existing and growing caseloads, extended illnesses and judicial vacancies. This effort minimizes the need to call upon and assign elsewhere active, full-time judges, thus disrupting schedules and delaying case disposition. In Fiscal 1990, assistance to the circuit courts was provided extensively by former judges. However, the Circuit Administrative Judges, pursuant to the Maryland Rules, moved judges around within their circuits and exchanged judges between circuits from time to time where there was a need to assign them outside the circuit to handle specific cases.

Further, by designating District Court judges as circuit court judges, extensive assistance to the circuit courts was provided by them in Fiscal 1990. This assistance consisted of 175 judge days, of which 104 were provided to the Circuit Court for Baltimore City.

The pool of former judges eligible to be recalled sat for the greatest number of days in the last 13 years. With the help of 7 former circuit court judges and 3 former appellate judges, pretrial settlement of cases, an effort which began three years ago in two circuit courts, has been expanded to 11. It is concentrated in the largest jurisdictions and to a lesser extent, in medium and smaller counties. These judges handled civil, money damage suits, some domestic disputes and sat for 336 judge days with a settlement rate that ranged from 44 percent to 75 percent in the various jurisdictions. In addition, the Chief Judge of the Court of Appeals, with the approval of the Court, recalled 13 other former circuit court judges and three former appellate judges to serve in the circuit courts for 580 judge days for the reasons already given.

The Chief Judge of the District Court, pursuant to constitutional authority, made assignments internal to that Court to address backlogs, unfilled vacancies and extended illnesses. In Fiscal 1990, these assignments totaled 504 judge days. In addition, the Chief Judge of the Court of Appeals recalled 23 former District Court judges to sit in that Court totaling approximately 691 judge days.

At the appellate level, the maximum use of available judicial manpower continued. The Court of Special Appeals caseload is being addressed by limitations on oral argument, assistance by a central professional staff, and a prehearing settlement conference. The Chief Judge of the Court of Appeals exercised his authority by designating appellate judges to sit in both appellate courts to hear specific cases, and 5 former appellate judges were recalled to assist both courts for a total of 192 judge days.

Finally, a number of judges of the Court of Special Appeals were designated to different circuit courts for various lengths to assist those courts in handling the workload.

COURT-RELATED UNITS

Court-Related Units

Board of Law Examiners

In Maryland, the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its staff administer bar examinations twice annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours' writing.

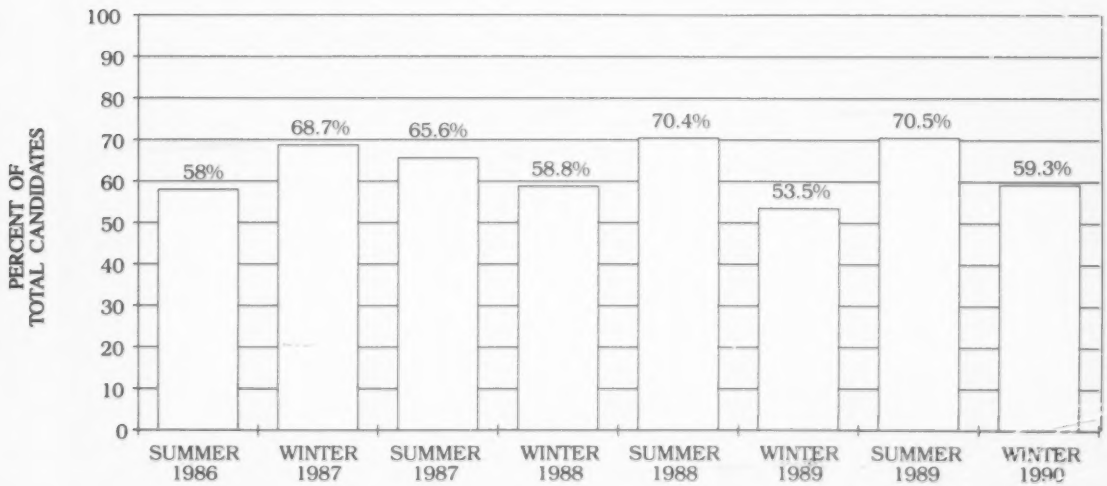
Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in forty-eight jurisdictions. It is a six-hour test that covers six subjects: contracts, criminal law, evidence, real property, torts, and constitutional law.

Maryland does not participate in the administration of the Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the National Conference of Bar Examiners.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contracts, criminal law and procedure, evidence, Maryland civil procedure, property and torts. Single questions on the essay examinations may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Beginning with the July 1983 examination, by amendment to the Rules of the Court of Appeals of Maryland governing admission to the bar, the subject of professional responsibility was added to the list of subjects on the Board's essay test.

The results of the examinations given during Fiscal Year 1990 are as follows: a total of 1078 applicants sat for the July 1989 examination with 761 (70.5 percent) obtaining a passing grade, while 502 sat for the February 1990 examination with 298 (59.3 percent) being successful.



PERCENT OF SUCCESSFUL CANDIDATES TAKING THE BAR EXAMINATION

Passing percentages for the two previous fiscal years are as follows: July 1987, 65.6 percent and February 1988, 58.8 percent; July 1988, 70.4 percent and February 1989, 53.5 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 14 which governs out-of-state attorney applicants who must take and pass an attorney examination. That examination is an essay type test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Rules of Professional Conduct. The test is of three hours' duration and is administered on the first day of the regularly scheduled bar examination.

Commencing with the February 1985 attorney examination, the revised Maryland Rules of Procedure, which became effective July 1, 1984, were used. They were also used on the regular bar examination.

The new Maryland Rules of Professional Conduct were effective January 1, 1987. These new Rules were used on both the Attorney Examination and the regular bar examination commencing with the February 1987 examinations.

At the Attorney Examination administered in July 1989, 90 applicants took the examination for the first time along with 19 who had been unsuccessful on a prior examination, for a total of 109 applicants. Out of this number, 88 passed. This represents a passing rate of 80.7 percent.

In February 1990, 115 new applicants took the examination for the first time along with 15 applicants who had been unsuccessful on a prior examination, for a total of 130 applicants. Out of this number, 116 passed. This represents a passing rate of 89.2 percent.

The State Board of Law Examiners

Charles H. Dorsey, Jr., Esquire, Chairman; Baltimore City Bar
William F. Abell, Jr., Esquire; Montgomery County Bar
John F. Mudd, Esquire; Charles County Bar
Robert H. Reinhart, Esquire; Allegany County Bar
Jonathan A. Azrael, Esquire; Baltimore City Bar and Baltimore County Bar
Pamela J. White, Esquire; Baltimore City Bar
Christopher B. Kehoe, Esquire; Talbot County Bar

Results of examinations given by the State Board of Law Examiners during Fiscal Year 1990 are as follows:

Examination	Number of Candidates	Total Successful Candidates	Number of Candidates Taking First Time	Number of Candidates Passing First Time*
SUMMER 1989 (July)	**1,078**	**761 (70.5%)**	**906**	**699 (77.1%)**
Graduates				
University of Baltimore	225	160 (71.1%)	183	144 (78.6%)
University of Maryland	216	165 (76.3%)	181	153 (84.5%)
Out-of-State Law Schools	637	436 (68.4%)	542	402 (74.1%)
WINTER 1990 (February)	**502**	**298 (59.3%)**	**254**	**175 (68.8%)**
Graduates				
University of Baltimore	111	67 (60.3%)	50	34 (68.0%)
University of Maryland	79	41 (51.8%)	26	19 (73.0%)
Out-of-State Law Schools	312	190 (60.8%)	178	122 (68.5%)

*Percentages are based upon the number of first-time applicants.

Rules Committee

Under Article IV, Section 18(a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State; and under Code, Courts Article, § 13-301, the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule-making power. The Standing Committee on Rules of Practice and Procedure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an ad hoc Committee on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Procedure and to submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Procedure, which became effective July 1, 1984. Phase II of the project began with the adoption of Title 8 of the Maryland Rules, which became effective July 1, 1988. The Committee is continuing its work on Phase II, which involves the remainder of the Maryland Rules, Chapters 900 through 1300. In addition, the Committee has been authorized by the Court of Appeals to undertake an effort to develop a comprehensive code of rules of evidence. A Special Subcommittee of the Rules Committee began work on this challenging project in early 1989 and continues to meet regularly.

During the past year, the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary. The One Hundred Tenth Report, published in the MARYLAND REGISTER, Vol. 16, Issue 17 (August 25, 1989) contained proposed new Rules 1224A and 1224B and proposed amendments to Rule 8-415. These new rules and amendments were proposed to accommodate an experimental program of videotaping trial proceedings in selected circuit courts. The Court of Appeals adopted the rules changes proposed in the 110th Report by Order of November 22, 1989, with an effective date of January 1, 1990. That Order was published in the MARYLAND REGISTER, Vol. 16, Issue 25 (December 15, 1989).

The One Hundred Eleventh Report, published in the MARYLAND REGISTER, Vol. 16, Issue 20 (October 6, 1989), contained proposed new Rule 4-347, Proceedings for Revocation of Probation, related "housekeeping" amendments to a number of other Title 4 Rules, and amendments to Rules 2-433 and 2-613 to clarify that no judgment by default may be entered until both liability and damages are decided. The Court of Appeals adopted the rules changes proposed in the 111th Report by Order of November 22, 1989, with an effective date of January 1, 1990. That Order was published in the MARYLAND REGISTER, Vol. 16, Issue 25 (December 15, 1989).

The Court of Appeals had deferred action on the One Hundredth Report, which had been published in the MARYLAND REGISTER, Vol. 15, Issue 7 (March 25, 1988), containing proposed new Title 6 of the Maryland Rules of Procedure, Settlement of Decedents' Estates.

In response to extensive 1989 amendments to the Estates and Trust Article and to comments by the Orphans' Court bench and members of the bar, the Rules Committee submitted a Supplement to the 100th Report, published in the MARYLAND REGISTER, Vol. 17, Issue 5 (March 9, 1990). The Court of Appeals adopted new Title 6 as set forth in the Supplement and as further modified by the Court by Order of June 28, 1990, with an effective date of January 1, 1991. That Order was published in the MARYLAND REGISTER, Vol. 17, Issue 15 (July 27, 1990).

The Court of Appeals had also not taken final action on the Ninety-ninth Report, which had been published in the MARYLAND REGISTER, Vol. 15, Issue 6 (March 11, 1988), containing a proposed revision of the Rules Governing Admission to the Bar and certain amendments to Rules BV2 and 1228. As a result of requests by the Court of Appeals for extensive revision of certain of the proposed rules, and of proposals for entirely new Bar Admission Rules, the Rules Committee submitted a Supplement to the 99th Report, published in the MARYLAND REGISTER, Vol. 17, Issue 10 (May 18, 1990). Of particular interest was proposed new Bar Admission Rule 11, providing that completion of a one-day course on legal professionalism be a condition precedent to admission to the Bar of Maryland. This requirement, which was recommended by the Maryland State Bar Association, will be in effect for an initial period of three years. In addition, the Supplement contained a thorough revision of Rule 13, Out-of-State Attorneys, a proposed new Rule 17, that would have permitted law graduates to practice law under limited circumstances, and amendments to Rules BV2 and 1228 eliminating the two-level assessment for the Attorney Grievance Commission and Clients' Security Trust Fund. The Court of Appeals adopted the rules changes in the 99th Report and the Supplement, with the exception of proposed new Rule 17, Legal Assistance by Law Graduates, and Rules BV2 and 1228, by Order of June 28, 1990, with an effective date of August 1, 1990. That Order was published in the MARYLAND REGISTER, Vol. 17, Issue 14 (July 13, 1990). The Court declined to adopt proposed Rule 17; the Court adopted the changes to Rules BV2 and 1228 by Order of June 22, 1990, effective that date. That Order was also published in the MARYLAND REGISTER, Vol. 17, Issue 14 (July 13, 1990).

Finally, pursuant to the One Hundred Twelfth Report, the Court of Appeals adopted, on an emergency basis, amendments to Rules 2-327, 2-541, and S73A. New section (d) of Rule 2-327 allows a circuit court to transfer civil actions involving common questions of law or fact, or any claims or issues in such actions, to

another circuit court in which the actions could have been brought and in which similar actions are pending for consolidated pretrial proceedings or trial. Amendments to Rules 2-541 and S73A provide for the mandatory referral to mediation of certain custody and visitation disputes. These amendments were adopted by Order of June 28, 1990, effective July 1, 1990. That Order was published in the MARYLAND REGISTER, Vol. 17, Issue 14 (July 13, 1990).

The Standing Committee on Rules of Practice and Procedure

Hon. Alan M. Wilner, Chairman
Court of Special Appeals

Hon. Francis M. Arnold
District Court, Carroll County

Hon. Walter M. Baker
State Senator, Cecil County

Lowell R. Bowen, Esq.
Baltimore City Bar

Prof. Robert R. Bowie
Talbot County Bar; *Emeritus*

Albert D. Brault, Esq.
Montgomery County Bar

D. Warren Donohue, Esq.
Montgomery County Bar

Ms. Audrey B. Evans
Clerk, Circuit Court for Calvert County

Judson P. Garrett, Jr., Esq.
Deputy Attorney General

John O. Herrmann, Esq.
Baltimore City Bar

H. Thomas Howell, Esq.
Baltimore City Bar

David S. Iannucci, Esq.
Chief Legislative Officer

Hon. G.R. Hovey Johnson
Circuit Court for Prince George's County

Harry S. Johnson, Esq.
Baltimore City Bar

Hon. Joseph H.H. Kaplan
Administrative Judge, Circuit Court for Baltimore City

Hon. Michael Waring Lee
Orphans' Court of Baltimore City

James J. Lombardi, Esq.
Prince George's County Bar

Hon. Daniel M. Long
State Delegate, Somerset County

Anne C. Ogletree, Esq.
Caroline County Bar

Hon. Kenneth C. Proctor
Circuit Court for Baltimore County (retired); *Emeritus*

Roger D. Redden, Esq.
Baltimore City Bar

Hon. Mary Ellen T. Rinehardt
District Court, Baltimore City

Linda M. Schuett, Esq.
Baltimore City Bar

Melvin J. Sykes, Esq.
Baltimore City Bar

Roger W. Titus, Esq.
Montgomery County Bar

Una M. Perez, Esq., Reporter

Sherie B. Libber, Esq., Assistant Reporter

State Law Library

The objective of the Maryland State Law Library is to provide an optimum level of support for all the legal and general reference research activities of the Court of Appeals, Court of Special Appeals, and other court-related units within the Judiciary. A full range of information services is also extended to every branch of State government and to citizens throughout Maryland.

Originally established by an act of the legislature in 1827, the Library, currently staffed by 10 full-time employees and two part-time contractuals, is now governed by a Library Committee whose powers include appointment of the director of the Library as well as general rule-making authority.

With a collection of close to 300,000 volumes, this specialized facility offers researchers access to three distinct and comprehensive libraries of law, general reference/government publications and Maryland history and genealogy. Of special note are the Library's holdings of state and federal government publications which add tremendous latitude to the scope of research materials found in most law libraries.

Over the past five years, the Library has made substantial improvements to its collections. The Library now contains holdings of all the out-of-state codes, appellate court rules and official state court reports. A strong Maryland local government law collection has been developed. In addition to a current collection of all county and municipal codes, the library has been acquiring county grand jury reports and school board and local police department policy and procedure manuals. The United States Supreme Court records and briefs on microfiche have been added since the 1980 Term. The Library has also filmed the important and not widely accessible collection of *Maryland Judicial Conference Proceedings, 1951-1988*, and has initiated an ongoing filming project for many of the Gubernatorial and Legislative Task Force and Study Commission reports in the collection.

The Library has upgraded its Maryland legislative history files and has acquired a comprehensive collection of task force and study commission reports. The complete inventory of this important collection has been captured on the library's word processor and a subject arranged printed guide will be forthcoming in early FY 1991. The Legislative Committee files microfilmed by the Department of Legislative Reference are also being acquired on a piecemeal basis. Currently, the Library has a complete file for 1978-1985. New compact disc indexes to legal periodical literature and federal government publications are now available on the library's Legal Infotrac, a service of Information Access Corporation. Also available on CD is the union list of holdings of books and periodicals from all major Maryland libraries called MICROCAT.

On-line cataloging and reclassification of the entire collection continue to be a high priority effort. In all, some 3,400 titles have been processed on OCLC during Fiscal 1990.

The Library added a telefacsimile service during the year which is used heavily for court and library patron needs for instantaneous transmission of information.

The Library received its periodic inspection from the U.S. Government Printing Office as a participant in the Federal Depository Library system and won a rating of excellent in all areas. The Library was selected as a test site for the Economic Bulletin Board pilot project conducted by the Government Printing Office in cooperation with the U.S. Department of Commerce and General Accounting Office. This pilot project which was implemented in June 1990 will study the implications of providing free online depository library access to government information.

Because of severe space problems a major move of the collection was completed. Currently all text books and treatises are now located in the same area of the library.

Technical assistance was provided to three circuit court libraries in the further development of their library services. Consultations included collection development, library design, space planning, and information on computer-assisted legal research systems and library staffing.

During the past year, the Library continued to participate in RSVP (Retired Senior Volunteer Program) through Anne Arundel County. This program has provided the Library with a number of part-time volunteers, who have initiated and completed a number of important indexing and clerical projects.

For the fourth year, the Library participated in the Anne Arundel County Board of Education's High School Alternative Credit Program. This program provided two gifted high school students with practical work experience in a discipline of interest to the student. An extensive bibliography on the year's National High School Debate topic was researched, produced and distributed by one of the interns to all high school English departments in the county.

Publications issued by the Library include a guide to conducting legislative history research in Maryland entitled *Ghosthunting: Finding Legislative Intent in Maryland, A Checklist of Sources*; revised 1988 bibliographies entitled *Sources of Basic Genealogical Research in the Maryland State Law Library: A Sampler*; *Divorce in Maryland*; and *DWI: Where to Find the Law in Maryland.* Also included in the Library's previous output are: *Self-Help Law: A Sampler*; *The U.S. and Maryland Constitutions: Some Basic Sources*; and *The Maryland Court of Appeals: A Bibliography of Its History.*

Members of the staff continue to be active on the lecture circuit, addressing high school and college classes, and professional organizations on the basics of legal research techniques; and also appearing before genealogy societies to discuss the collections and services available from the Library. A substantial number of guided tours were conducted by reference staff during the year.

The Library continued its efforts in assisting various groups in celebrating the bicentennial of the

U.S. Constitution and Maryland's ratification of that document and the upcoming bicentennial celebration of the Bill of Rights.

Located on the first floor of the Courts of Appeal Building, the Library is open to the public Monday, Wednesday, Friday, 8:30 a.m.—4:30 p.m.; Tuesday and Thursday, 8:30 a.m.—9:00 p.m.; and Saturday, 9:00 a.m.—4:00 p.m.

Summary of Library Use Fiscal 1990	
Reference inquiries	26,956
Volumes circulated to patrons	4,073
Interlibrary loan requests filled	1,749

Attorney Grievance Commission

The Attorney Grievance Commission was created, effective July 1, 1975, by a set of Rules of the Court of Appeals of Maryland. It was established to supervise and administer the discipline and inactive status of Maryland lawyers. An amendment, effective January 1, 1987, enlarged the definition of an "attorney," subject to its jurisdiction to non-members of the Maryland Bar who engage in the practice of law in Maryland.

The Commission consists of eight lawyers and two non-lawyers appointed by the Court of Appeals for four-year terms. No member is eligible for reappointment for a term immediately following the expiration of a member's service for one full term of four years. The Chairman of the Commission is designated by the Court. Members of the Commission serve without compensation.

The Commission appoints, subject to approval of the Court of Appeals, a lawyer to serve as Bar Counsel, the principal executive officer of the disciplinary system, and supervises the activities of Bar Counsel and staff. Duties of Bar Counsel and staff include investigation of all matters involving possible misconduct; prosecution of disciplinary proceedings; and investigation of petitions for reinstatemnt. The staff, in addition to Bar Counsel, includes a Deputy Bar Counsel, four Assistant Bar Counsel, four investigators, an office manager and six secretaries.

The Commission meets monthly, receives reports on receipts and expenditures, disciplinary statistics, the flow of complaints at all stages of the disciplinary process and reviews personnel performance. Reports on activities of Bar Counsel and staff are also requested, between monthly meetings, if necessary.

A disciplinary fund is established by rule of the Court of Appeals to pay Commission staff as well as other Commission expenses. Effective July 1, 1990, an attorney who maintains his/her right to practice is assessed the sum of $65.00 for the disciplinary fund. The budget for the Commission is approved prior to the commencement of each fiscal year (July 1—June 30) by the Court of Appeals of Maryland.

A grievance which is not screened out or dismissed is referred for a hearing by members of the Inquiry Committee, all of whom are volunteers (2/3 lawyers and 1/3 non-lawyers) each appointed for a three (3) year term and eligible for reappointment. The lawyer members are selected by local bar associations. Non-lawyer members are selected by the Commission.

A Review Board consists of eighteen persons, fifteen of whom are attorneys and three non-lawyers. Members of the Review Board serve three-year terms and are ineligible for reappointment. The Board of Governors of the Maryland State Bar Association selects the attorney members of the Review Board. The Commission selects non-lawyer members from the State at large, after solicitation from the Maryland State Bar Association, and the general public in a manner decided appropriate by the Commission. Judges are not permitted to serve as members of the Inquiry Committee or the Review Board. The Board reviews matters referred to it under the BV Rules by an Inquiry Panel.

The Commission received a total of 1,334 matters, classified as inquiries, in Fiscal Year 1989-90 compared with 1,260 in Fiscal Year 1988-89. Formal docketed complaints increased from 295 in Fiscal Year 1988-89 to 336 in Fiscal Year 1989-90. Totals for the two reflect an increase (from 1,555 to 1,670) of approximately seven percent of matters handled by the Commission.

Summary of Disciplinary Action	1985 -86	1986 -87	1987 -88	1988 -89	1989 -90
Inquiries Received (No Misconduct)	1,028	1,119	1,165	1,260	1,334
Complaints Received (Prima Facie Misconduct Indicated)	369	412	273	295	336
Totals	**1,397**	**1,531**	**1,438**	**1,555**	**1,670**
Complaints Concluded	285	373	302	331	357
Disciplinary Action by No. of Attorneys:					
Disbarred	7	11	3	3	3
Disbarred by Consent	13	8	7	7	19
Suspension	12	12	13	11	19
Public Reprimand	6	3	3	2	4
Private Reprimand	9	14	7	12	7
Inactive Status	1	3	1	1	4
Dismissed by Court	2	6	2	0	4
Petitions for Reinstatement:					
Granted	0	2	0	5	0
Denied	0	2	3	1	1
Resignation	0	1	0	0	1
Resigned With Prejudice, Without Right to be Readmitted	0	0	0	0	0
Total No. of Attorneys Disciplined	**50**	**62**	**39**	**42**	**62**

Pending complaints at the end of Fiscal Year 1989-1990 were fewer than at the end of Fiscal Year 1988-1989.

The number of lawyers disbarred this past fiscal year was 22, the highest number since the Commission was created in 1975.

Bar Counsel and staff continue their efforts to educate the Bar and public about the disciplinary system and the ethical obligations of attorneys. Articles appear in the Maryland State Bar Association Journal on a regular basis. The staff has appeared at several programs of the Maryland Institute for Continuing Professional Education of Lawyers. They have spoken to local bar associations and other groups. Melvin Hirshman, Bar Counsel, has continued to be actively involved with the National Organization of Bar Counsel serving this past year as Immediate Past President. Mr. Hirshman and Assistant Bar Counsel Kendall R. Calhoun and John C. Broderick served as faculty of an American Bar Association professionalism workshop in New Orleans, Louisiana, in June, 1990. Mr. Hirshman, Mrs. Calhoun and Assistant Bar Counsel Glenn M. Grossman, participated in the annual Judicial Conference interfacing with the Maryland judiciary on ethical problems of lawyers and lawyer conduct which matters should be reported to the Commission.

The Commission provides financial support to the Lawyer Counseling program of the Maryland State Bar Association, Inc. Complaints against lawyers often result from mental illness, dependence on alcohol or drugs or poor office procedures. The counseling program is designed to aid lawyers with these problems. Bar Counsel finds that referrals to that program prove helpful in avoiding a more serious disciplinary problem. The Commission also provides investigative services for Maryland's Clients' Security Trust Fund.

The Commission maintains a toll-free number for incoming calls from anywhere within Maryland as a convenience to complainants and volunteers who serve in the system.

Clients' Security Trust Fund

The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965 (Code, Article 10, Sec. 43). The statute empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals that are now in effect are set forth in Maryland Rule 1228.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the name of the legal profession. It reimburses clients for losses to the extent authorized by these rules and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded).

Seven trustees are appointed by the Court of Appeals from the Maryland Bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional lay trustee is appointed by the Court of Appeals from the State at large. Trustees serve on a staggered seven-year basis.

The Fund began its twenty-fourth year on July 1, 1989, with a Fund balance of $1,546,997.28, as compared to a Fund balance of $1,429,992.43 for July 1, 1988.

The Fund ended its twenty-fourth year on June 30, 1990, with a Fund balance of $1,925,754.21 as compared to a Fund balance for the year ending June 30, 1989, of $1,546,997.28.

At their meeting of July 14, 1989, the trustees elected the following members to serve as officers through the fiscal year ending June 30, 1990: Victor H. Laws, Esq., Chairman; Carlyle J. Lancaster, Esq., Vice Chairman; Vincent L. Gingerich, Esq., Secretary; and Isaac Hecht, Esq., Treasurer.

During Fiscal Year 1990, the trustees met on four occasions. There were also fourteen claims paid during the fiscal year totaling $21,290. Additionally, since the close of the fiscal year, the trustees have approved payment of five claims totalling $42,428.59 leaving forty claims still pending with a current liability exposure approximating $1,736,462.

During the fiscal year ending June 30, 1990, the Fund derived the sum of $344,702.90 from assessments, as compared with the sum of $323,263.00 for the preceding fiscal year.

On June 30, 1990, the end of the fiscal year, there were 19,998 lawyers subject to annual assessments. Of this number, 119 attorneys failed to pay and were decertified on May 1, 1990.

In accordance with the Maryland Rules of Procedure, on May 1, 1990, the Court of Appeals entered its Order whereby the nonpaying attorneys' names were stricken from the list of practicing attorneys in this State. In the preceding fiscal year, 132 attorneys failed to pay and were decertified.

JUDICIAL CONFERENCES

Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It currently exists under provisions of Maryland Rule 1226, which direct it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of 231 judges of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City, and the District Court of Maryland. The Chief Judge of the Court of Appeals is its chairman; the State Court Administrator is the executive secretary. The Conference meets annually in plenary session. Between these sessions, its work is conducted by an Executive Committee and by a number of other committees, as established by the Executive Committee in consultation with the Chief Judge. The various committees are provided staff support by personnel of the Administrative Office of the Courts.

The Executive Committee

The Executive Committee consists of 17 judges elected by their peers from all court levels in the State. The Chief Judge of the Court of Appeals serves as an ex-officio non-voting member. It elects its own chairman and vice-chairman. Its major functions are to "perform the functions of the Conference" between plenary sessions and to submit "recommendations for the improvement of the administration of justice" in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and the full Conference as appropriate. The Executive Committee may also submit recommendations to the Governor, the General Assembly, or both of them. These recommendations are transmitted through the Chief Judge of the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge of the Court.

At its first meeting in July 1989, the Executive Committee elected the Honorable William H. Adkins, III, Associate Judge of District 3 of the District Court, as its chairman, and the Honorable John P. Corderman, Associate Judge of the Circuit Court for Washington County, as its vice-chairman.

The Executive Committee met almost monthly and planned the 1990 Maryland Judicial Conference and reviewed the work of the various committees. The Executive Committee referred many matters to the General Assembly for action.

Meeting of the Maryland Judicial Conference

The Forty-fifth Annual Meeting of the Maryland Judicial Conference was held on May 3rd and 4th, 1990, at the BWI Airport Marriott Hotel.

The meeting was called to order by Judge Adkins, Chair of the Executive Committee, with Chief Judge Robert C. Murphy welcoming the judges and presenting his opening remarks.

Reports of the Conference committees were presented at the business meeting along with the report of the Resolutions Committee by Judge Robert I.H. Hammerman. Other judges read brief biographies they had written about judges who had become deceased since the last Judicial Conference.

The Conference approved unanimously a request by the Executive Committee for the appointment of a long-range planning Committee on the Judicial Conference.

Following the Conference business meeting, a meeting of circuit court judges was convened under the chairmanship of Judge Raymond G. Thieme, Jr.

On the second day, the morning plenary session was spent on post-conviction issues, including talks on the law of sentencing and sentencing calculations by Emory A. Plitt, Jr., Esq., and Alan D. Eason, Esq., both with the Maryland Attorney General's Office; descriptions of the work of the Division of Parole and Probation by Henry L. Templeton, Division Director, and Paul J. Davis, Chairman of the Parole Commission; and projections for the future of the State's correctional institutions by Commissioner Elmanus Herndon of the Division of Corrections and Mr. Eason of the Attorney General's Office. Judges Joseph H.H. Kaplan, Raymond G. Thieme, Jr., and Patricia S. Pytash presented a series of questions and answers on sentencing problems.

In the afternoon, the plenary session featured a program on the judicial response to lawyer misconduct. Speakers were the Honorable Timothy Murphy of the District of Columbia Superior Court, Richard Vincent, Director of Lawyer Counseling for the Maryland State Bar Association, and Melvin Hirshman, Esq., Bar Counsel, Attorney Grievance Commission. Following a videotape presentation and large-group discussion of a simulated example of lawyer msiconduct, the Conference separated into small, problem-solving groups, each led by a judge and a member of the Bar. A participant in each small group reported its conclusions to the plenary session.

Conference of Circuit Judges

Established pursuant to Maryland Rule 1207, the Conference of Circuit Judges makes recommendations on the administration of the circuit courts. Its sixteen members include the eight Circuit Administrative Judges and one judge elected from each of the eight circuits for a two-year term. The chair is also elected by the Conference for a two-year term. In Fiscal 1990, the Conference met five times to address various concerns of the circuit court judges. The following highlights some of the important matters considered by the Conference.

1. Personnel and Fiscal Shortages in the Circuit Court Clerks' Offices.

There continued to be considerable discussion by the Conference of the critical personnel and budgetary shortages in the circuit court clerks' offices, a growing problem over the last several fiscal years. As a result of its concern, the Conference adopted a resolution to support additional personnel where there is a demonstrated need, and communicate that position to the Governor and the legislature. As a long-term solution to the problem, the Conference discussed legislation that had been introduced to transfer the clerks' offices from under the supervision of the Comptroller of the Treasury and the Executive Branch system, to the Judicial Branch. The legislation was passed and will be effective subject to the passage of a constitutional amendment in the fall of 1990. Legislation enacted is reported in the section of this report entitled *1990 Legislation Affecting the Courts.*

2. Approved in Principle the Trial Court Performance Standards.

The Conference took up for discussion the draft of the Trial Court Performance Standards, a joint project of the National Center for State Courts and the Federal Bureau of Justice Assistance. Chief Judge Murphy, Chairman of the Commission which developed the Standards, briefed Conference members on the background that led up to them and the needs that the Commission was attempting to address. Efforts to evaluate trial courts of general jurisdiction are grouped into five general areas. Although subject to further review with dissemination in mid-1990, the Conference adopted a resolution subscribing to the principles enunciated.

3. Addressed Asbestos Backlog in the Circuit Courts.

The Conference held considerable discussions on the increased workload in the circuit courts resulting from an influx of asbestos cases, primarily in the major jurisdictions. Throughout the fiscal year, the Conference discussed various attempts to address these matters, including ways to expedite the trial of them through the consolidation and transfer of cases where there were common issues. To that extent, a rule was enacted by the Court of Appeals to permit the consolidation and transfer of cases to take place effective July 1, 1990.

4. Discussed Procedures for Handling Foster Care and Adoption Matters to Comply with Title IV-E of the Social Security Act.

The Conference discussed and acted on the need to improve foster care and adoption procedures, specifically to comply with Title IV-E of the Social Security Act. The Title IV-E program acts as an incentive to provide certain legal safeguards to children in foster care and adoption matters. There are various complex requirements which must be met to qualify for federal funds. Several court-related problems affecting eligibility were addressed and ways were identified by which the circuit courts can help increase the federal reimbursement effort in Maryland. The Conference agreed to support these efforts and work cooperatively with the Department of Human Resources in this regard.

Lobby Area in Courthouse East, Baltimore

5. Discussed the Federal Family Support Act of 1988, Including Mandatory Child Support Guidelines.

The Conference held several discussions with respect to the implications of the Federal Family Support Act of 1988 which establishes a new family support program and significantly amends the Federal Child Support Enforcement Program. Several areas covered by this Act are: making child support guidelines mandatory and requiring periodic review for modification of orders; immediate income withholding; establishment of paternity; visitation/custody demonstration projects; and requirement for an automated tracking and monitoring system. During this fiscal year, legislation was introduced and enacted to implement mandatory guidelines to be uniformly applied by judges as a "rebuttable presumption." The presumption can be rebutted by a written finding or a specific finding on the record if the guidelines are found to be unjust in a particular area. Various other provisions provide for a phased-in review and adjustment of child support orders beginning in the fall of 1990. The Conference met with officials of the Department of Human Resources to consider the workload impact that this Act might have upon the Department and the courts. It will be subject to continued monitoring throughout the next fiscal year.

6. Reaffirmed Support to Address the Increased Number of Prayers for Jury Trial.

During this fiscal year, there was continued discussion with respect to the percentage of the criminal case docket comprising jury trial prayers and the manner in which they are adversely impacting upon the expeditious disposition of criminal cases in the circuit courts. Highlighted last year, projects undertaken in the Circuit Court for Baltimore City and Montgomery County were further reviewed. Efforts were expanded to the Circuit Court for Baltimore County. While helpful, these efforts continue to be a strain on resources. In fact, the circuit court bench adopted a resolution requesting that the Conference continue to study the matter and seek legislative solutions to it through the Judicial Conference.

7. Supports Legislation.

The Conference continued to express its support and opposition to various legislative proposals, including support for Maryland Judicial Conference legislation. Judicial Conference legislation supported by the Conference and enacted is reported in the section of this report entitled *1990 Legislation Affecting the Courts.*

8. Other Matters.

There were many other matters discussed and considered by the Conference during this period covering different aspects of the administration of the circuit courts. Included were matters referred to the Rules Committee for its consideration. As has been stated in past reports, this report can only summarize some of the matters considered and acted upon. Many of the subjects presented to the Conference for discussion are still pending and will await further discussion by it.

Administrative Judges Committee of the District Court

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court of Maryland in 1971.

Under Article IV of the Maryland Constitution and the implementing legislation in the Courts and Judicial Proceedings Article, the District Court is a single, statewide entity. The Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional accountability to the Chief Judge of the Court of Appeals. The administrative judges in each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective districts.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when Maryland Rule 1207 was amended to provide for election of some of the members of the Conference of Circuit Judges, he provided for the biannual election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. The Chief Judge, ex-officio, serves as Chairman of this Committee.

At its quarterly meetings during Fiscal 1990, the Committee acted on more than half a hundred items. Among the more significant were:

(1) Reviewed and made recommendations to the Executive Committee of the Maryland Judicial Conference and to the General Assembly on various bills affecting the operation and administration of the District Court;

(2) Reviewed and amended certain preset fines for violations of the Motor Vehicle Laws and established fines for newly created violations;

(3) Reviewed policy concerning issuance of charging documents against law enforcement officers and public officials;

(4) Established a committee for the purpose of reviewing all the Natural Resources violations;

(5) Instituted system of automatic expungement under Article 27, § 292, upon the termination of probation;

(6) Took additional steps toward the statewide implementation of the bar coding system;

(7) Revised the policy relating to access to the Initial Appearance Questionnaire by defense attorneys;

(8) Developed a long range Master Plan for District Court facilities; and

(9) Elected new representatives to the Judicial Compensation Committee of the Maryland Judicial Conference.

APPOINTMENT, DISCIPLINE, AND REMOVAL OF JUDGES

Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor normally is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, district or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of 30. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how he is to go about exercising his discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction with this process, as well as concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

In 1970, these efforts bore fruit when former Governor Marvin Mandel, by Executive Order, established a statewide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Court Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971. However, in 1988, the Judicial Nominating Commissions were restructured in such a way so as to allow each county with a population of 100,000 or more to have its own Trial Courts Nominating Commission. Out of that restructuring came fourteen commissions, known as Commission Districts, in addition to the Appellate Judicial Nominating Commission. Each judicial vacancy filled pursuant to the governor's appointing power is filled from a list of nominees submitted by a Nominating Commission.

As presently structured, under an Executive Order issued by Governor William Donald Schaefer, effective March 31, 1988, each of the fifteen commissions consists of six lawyer members elected by other lawyers within designated geographical areas; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. The Administrative Office of the Courts acts as a secretariat to all commissions and provides them with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places announcements in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association and the local bar association.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full Commission or by the Commission panels. After discussion of the candidates, the Commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list is prepared by secret written ballot. No Commission may vote unless at least 10 of its 13 members are present. An applicant may be included on the list if he or she obtains a majority of votes of the Commission members present at a voting session. The list is then forwarded to the Governor who is bound by the Executive Order to make his appointment from the Commission list.

There were twenty-three vacancies for judgeships during Fiscal Year 1990, a decrease of 14.8 percent from the twenty-seven judicial vacancies of the previous fiscal year. Included in that total was one vacancy each on the Court of Appeals and Court of Special Appeals, twelve vacancies in the circuit courts, and nine District Court vacancies. Comparative statistics with respect to vacancies and the number of applicants and nominees are reflected on the accompanying table. In reviewing the number of applicants and nominees, it should be noted that under the Executive Order, a pooling system is used. Under this system, persons nominated for appointment to a particular court level are automatically submitted again to the Governor, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of initial nomination. The table, which shows only new applicants and nominees, does not reflect these pooling arrangements.

The two vacancies on the appellate courts were both filled by judges from the circuit courts. Nine of the twelve circuit court vacancies were filled during Fiscal 1990. Three of the appointments were from the private bar, two were expirations of term where the sitting judges were reappointed, and the remaining four appointments were from the District Court bench. In the District Court, seven of the vacancies were filled during the fiscal year with five appointments coming from the private bar and two from the public sector.

Judicial Nominating Commission Statistics
Judicial Vacancies and Nominees from Fiscal 1982 to Fiscal 1990

		Court of Appeals	Court of Special Appeals	Circuit Courts	District Court	TOTAL
FY 1982	Vacancies	1	1	12	11	25[a]
	Applicants	5	7	96	142	250
	Nominees	4	4	26	30	64
FY 1983	Vacancies	0	4	8	5	17[b]
	Applicants	0	32	74	70	176
	Nominees	0	16	17	22	55
FY 1984	Vacancies	0	2	12	10	24[c]
	Applicants	0	27	91	195	313
	Nominees	0	12	29	37	78
FY 1985	Vacancies	1	1	9	7	18[d]
	Applicants	3	5	79	122	209
	Nominees	3	3	24	34	64
FY 1986	Vacancies	0	1	12	11	24
	Applicants	0	5	69	125	199
	Nominees	0	4	22	34	60
FY 1987	Vacancies	2	1	5	7	15[f]
	Applicants	11	6	31	102	150
	Nominees	7	4	13	19[e]	43
FY 1988	Vacancies	0	1	7	6	14[g]
	Applicants	0	15	57	60	132
	Nominees	0	6	20	24	50
FY 1989	Vacancies	0	0	13	14	27[h]
	Applicants	0	0	101	172	273
	Nominees	0	0	36	48	84
FY 1990	Vacancies	1	1	12	9	23[i]
	Applicants	6	16	83	99	204
	Nominees	0	5	43	28	76

NOTE: Because of the pooling arrangements available under the Executive Order since Fiscal Year 1981, the number of applicants and nominees may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

[a] Three vacancies that occurred in FY 81 were filled in FY 82. Two vacancies that occurred in FY 82 were not filled until FY 83.

[b] Five vacancies that occurred in FY 83 were not filled until FY 84.

[c] Six vacancies that occurred in FY 84 were not filled until FY 85.

[d] Two vacancies that occurred in FY 85 were not filled until FY 86.

[e] A meeting for one District Court vacancy was not held until FY 88.

[f] Three vacancies that occurred in FY 87 were not filled until FY 88.

[g] One vacancy that occurred in FY 88 was not filled until FY 89.

[h] One vacancy that occurred in FY 89 was not filled until FY 90.

[i] Four vacancies that occurred in FY 90 were not filled until FY 91. A meeting for one District Court vacancy was not held until FY 91.

Judicial Nominating Commissions

as of September 1, 1990

APPELLATE

James J. Cromwell, Esq., Chair

Jane W. Bailey	Reverend Andrew Johnson	Harry Ratrie
David Gilbert Borenstein, M.D.	Albert J. Matricciani, Jr., Esq.	Kenneth R. Taylor, Jr.
Albert David Brault, Esq.	E. Scott Moore, Esq.	Peter Ayers Wimbrow, III, Esq.
Clarence Louis Fossett, Jr., Esq.	Kenneth A. Pippin	Vacancy

TRIAL COURTS

Commission District 1

Gordon David Gladden, Chair

Sally D. Adkins, Esq.	Richard M. Matthews, Esq.	Herman J. Stevens
Constantine A. Anthony	Elmer T. Myers	Audrey Stewart
Harland Cottman	James Harrison Phillips, III, Esq.	Edmund L. Widdowson, Jr., Esq.
W. Newton Jackson, III, Esq.	L. Richard Phillips, Esq.	Richard S. Wootten, Sr.

Commission District 2

Doris P. Scott, Esq., Chair

J. Donald Braden, Esq.	John F. Hall, Esq.	James O. Pippin, Jr.
Robert E. Bryson	Eugene F. Herman, Esq.	Robert B. Vojvoda
Ernest S. Cookerly, Esq.	Karen A. Murphy Jensen, Esq.	J. Willis Wells
Waller S. Hairston, Esq.	Grace McCool	Philip Yost

Commission District 3

John O. Hennegan, Esq., Chair

Richard F. Cadigan, Esq.	Wayne R. Gioioso	Thomas F. McDonough, Esq.
James R. DeJuliis	J. Calvin Jenkins, Jr., Esq.	Mary Carol Miller
Fred V. Demski	Alois M. Link	Agnes Smith Purnell
Paul J. Feeley, Sr., Esq.	Richard A. McAllister, Jr., Esq.	John H. Zink, III, Esq.

Commission District 4

R. Lee Mitchell, Chair

James Bogarty	John J. Gessner, Esq.	Michael E. Leaf, Esq.
M. Elizabeth Bowen, Esq.	Richard G. Herbig, Esq.	Dorothy R. Martin
Veronica L. Chenowith	John Hostetter	Anne Z. Schilling
T. Scott Cushing	John B. Kane, Esq.	Elwood V. Stark, Jr., Esq.

Commission District 5

Hugh A. McMullen, Esq., Chair

Fred H. Anderson, Esq.	Dorothy Leuba	W. Dwight Stover, Esq.
Thomas Newan Berry, Esq.	Phyllis Regina MacVeigh	Paul Christian Sullivan, Esq.
Anne L. Gormer	David H. Miller, M.D.	Dane Edward Taylor, Esq.
C. Earl Humbertson	James F. Scarpelli, Sr.	Robert E. Watson, Esq.

Commission District 6

Robert L. Wetzel, Chair

Gregory C. Bannon, Esq.	William L. Huff	Kenneth J. Mackley, Esq.
Daniel P. Dwyer, Esq.	Christopher Joliet, Esq.	Philip Lee Rohrer
Gerald I. Falke, D.P.M.	Charlotte Lubbert	George E. Snyder, Jr., Esq.
Jane Hershey	Harrison Lee Lushbaugh	John H. Urner, Esq.

Commission District 7
H. Logan Holtgrewe, M.D., Chair

Christopher L. Beard, Esq.
Florence Beck Kurdle
George S. Lantzas, Esq.
Alan H. Legum, Esq.
Verena Voll Linthicum
Patricia A. McNelly
Timothy E. Meredith, Esq.
James P. Nolan, Esq.
Paula J. Peters, Esq.
John A. Poole
Dolores R. Queene
George E. Surgeon

Commission District 8
Howard B. Orenstein, Ph.D., Chair

Ralph N. Hoffman, Esq.
Ronald T Hollingsworth
Robert E. Kersey
J. Brooks Leahy, Esq.
T. Bryan McIntire, Esq.
Robert K. Parker, Esq.
John Salony
Clark R. Shaffer, Esq.
Elwood E. Swam, Esq.
Brenda L. Tracy
Ruth Uhrig
Nancy Ann Zeleski

Commission District 9
J. Thomas Rees, Jr., Chair

Vivian C. Bailey
David A. Carney, Esq.
James S. Hanson, Esq.
Shirley Hager Hobbs
Edward J. Moore
Gary S. Peklo, Esq.
Earl H. Saunders
Barry Silber, Esq.
Fred H. Silverstein, Esq.
Jonathan S. Smith, Esq.
J. Clarke Tankersley
David L. Tripp

Commission District 10
George E. Dredden, Chair

Cleopatra C. Anderson, Esq.
Cecelia Bach
Karen A. Blood
Richard Brady
James H. Clapp, Esq.
Anne B. Hooper
Ferne Naomi Moler
P. Paul Phillips, Esq.
Tod P. Salisbury, Esq.
George M. Seaton
Seymour B. Stern, Esq.
Lucien T. Winegar, Esq.

Commission District 11
Devin J. Doolan, Esq., Chair

Calvin H. Fitz, Jr.
Mary Lou Fox
Thomas L. Heeney, Esq.
Barry H. Helfand, Esq.
Esther Kominers
Miriam S. Raff
Lawrence Rosenblum
William J. Rowan, III, Esq.
Durke G. Thompson, Esq.
Roger W. Titus, Esq.
Charles F. Wilding
Charles E. Wilson, Jr., Esq.

Commission District 12
John Milton Sine, Chair

Karen H. Abrams, Esq.
James M. Banagan
Samuel A. Bergin
David H. Chapman, Esq.
Shirley E. Colleary
Michael A. Genz, Esq.
Thomas C. Hayden, Jr., Esq.
David F. Jenny, Esq.
Albertine Thomas Lancaster
Julie T. Mitchell
Thomas Larner Starkey, Esq.
Dr. Sanford Hardaway Wilson

Commission District 13
Thomas P. Smith, Esq., Chair

Linda W. Botts
Edward P. Camus, Esq.
G. Richard Collins, Jr., Esq.
James T. Culbreath
Otis Ducker
Annette Funn
Howard E. Goldman, Esq.
Emory Harman
Bruce Lawrence Marcus, Esq.
Ralph W. Powers, Jr., Esq.
Richard H. Sothoron, Jr., Esq.
Dorothy Troutman

Commission District 14
Nelson I. Fishman, Esq., Chair

Peter F. Axelrad, Esq.
Paul D. Bekman, Esq.
John B. Ferron
Louise Michaux Gonzales, Esq.
Michael M. Hart
William L. Jews
Paula M. Junghans, Esq.
Sally Michel
Theodore S. Miller, Esq.
Rosetta Stith, Ph.D.
Kenneth L. Thompson, Esq.
William H.C. Wilson

Removal and Discipline of Judges

Judges of the appellate courts run periodically in noncompetitive elections. A judge who does not receive the majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges face Senate reconfirmation every ten years. A judge who is not reconfirmed by the Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime . . . . "
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address, and if the accused has been notified of the charges against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity . . . . "
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.
6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever . . . disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a *nolo* plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth one has actually been used within recent memory. Since the use of this method involves the Commission on Judicial Disabilities, which also has the power to recommend discipline less severe than removal, it is useful to examine that commission.

The Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and strengthened in 1970; its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct hearings, or take informal action as it deems necessary, provided that the judge involved has been properly notified. Its operating procedures are as follows: the Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which a hearing may be held regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than that which the Commission recommended. In addition, the Commission has the power in limited situations to issue a private reprimand or merely a warning.

The Commission on Judicial Disabilities serves the public in a variety of ways. Its primary function is to receive, investigate and hear complaints against members of the Maryland judiciary. Formal complaints must be in writing and notarized, but no particular form is required. In addition, numerous individuals either write or call expressing dissatisfaction concerning the outcome of a case, or some judicial ruling. While some of these complaints may not fall technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the very first time, of their right of appeal. Thus, the Commission in an informal fashion offers an ancillary, though vital, service to members of the public.

During the past year, the Commission considered thirty-two formal complaints—of which five were initiated by practicing attorneys, one by the Commission acting on its own motion, and the remainder by members of the public. Some complaints were directed simultaneously against more than one judge and sometimes a single jurist was the subject of numerous complaints. In all, twenty-one judges at the circuit court level, seven District Court judges, and two sitting in Orphans' Court were the subjects of complaints.

This year, litigation over some domestic matter (divorce, alimony, custody) precipitated eleven complaints, criminal cases accounted for eleven, and the remainder resulted from conventional civil litigation or the alleged improper demeanor of some jurist.

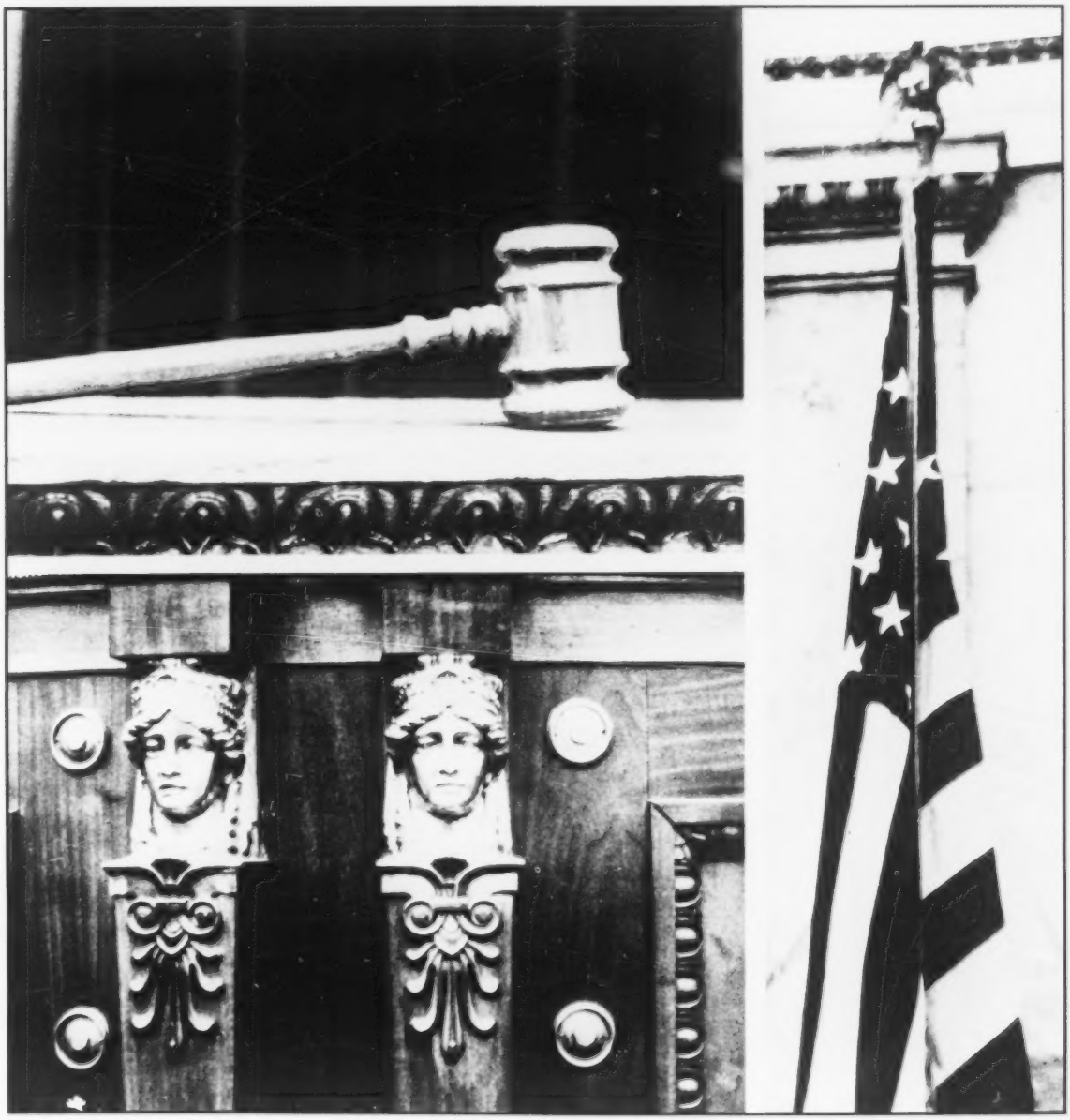
The Commission deals with formal complaints in a variety of ways. Tapes or transcripts of judicial hearings are often obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it.

During the past year, several judges were requested to appear before the Commission to defend charges against them. Those complaints were usually disposed of by way of discussion with the jurist involved or by a private warning. In one case, a judge resigned in response to Commission action. Several formal complaints remain open awaiting

plenary hearings. In most instances, however, complaints were not serious enough to warrant personal appearances by judges. The charges were dismissed preliminarily either because the accusations leveled were not substantiated or because the conduct did not amount to a breach of judicial ethics.

Finally, pursuant to Rule 1227 of the Maryland Rules, the Commission serves yet another function. It supplies judicial nominating commissions with confidential informatiom concerning reprimands to or pending charges against those judges seeking nomination to judicial offices.

The Commission meets as a body irregularly, depending upon the press of business. Its seven members from around the State are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least fifteen years, and one lay person representing the general public.



Views of Courtroom in Clarence M. Mitchell, Jr., Courthouse, Baltimore

1990 LEGISLATION AFFECTING THE COURTS

1990 Legislation Affecting the Courts

The 1990 Session of the General Assembly resulted in the passage of several significant pieces of legislation targeting the drug dealer and the drug user, including those who drive motor vehicles while drunk or drugged. Protection for consumers was another area receiving attention from legislators, particularly consumers renting automobiles and making purchases with credit cards or personal checks. Another issue prominent in the Session was property tax relief to State homeowners. Some of the new laws affecting the Judiciary are summarized below. A more complete survey of 1990 legislation is available from the Administrative Office of the Courts.

1. Judicial Conference Legislation

Judgeships. Chapter 407 increases the number of circuit court judgeships by one each in Baltimore City and Baltimore, Prince George's, and Montgomery Counties and District Court judgeships by one in District 2 (Wicomico County) and one in District 9 (Harford County).

Examination Fees for Bar Candidates. Chapter 362 increases to $100 the maximum examination fee that may be charged to applicants to the Bar.

District Court Judgeships. Chapter 271 clarifies that in District 4, two judgeships are in Charles County, in District 11, two each are in Frederick and Washington Counties, and in District 12, two are in Allegany County.

2. Court Administration

Practice of Law by Corporation Attorneys. Chapter 451 permits a lawyer employed by a corporation on a regular salaried basis to represent the corporation in any proceeding before a court or agency of State government.

Circuit Court Clerks' Offices. Chapter 515 places management and control of the circuit court clerks' offices under the Chief Judge of the Court of Appeals, pursuant to rules to be adopted by the Court of Appeals. Effectiveness of the Act is contingent upon voter approval of Chapter 62, a constitutional amendment to the same effect.

Nonlawyers Representing Tenants in District Court. Chapter 660 authorizes a nonlawyer to represent a tenant in a summary ejectment proceeding brought by a landlord in the District Court if the nonlawyer is a law student in a clinical law program at a law school with in-court supervision of a faculty member or is a trained and experienced person employed by certain nonprofit organizations who is supervised by a lawyer whose appearance is entered in the proceeding.

Judges' Membership in the Reserve or the Militia. Chapter 61 is a constitutional amendment that permits judges, State legislators, and Executive Branch officials to hold concurrent membership in the militia of the United States or Maryland or a reserve unit of the United States armed forces.

Assignment of Former Judges in Baltimore City. Chapter 154 permits the temporary assignment of a former judge in Baltimore City for up to 180 days a year.

3. Criminal Law and Procedure

The Drug Enforcement Act of 1990. Chapter 410 provides that if an individual who holds a Maryland license to engage in an occupation or business is convicted of a drug crime committed on or after January 1, 1991, the sentencing court notifies the licensing authority of the conviction if (1) the individual was previously convicted of or granted probation before judgment (PBJ) for a drug crime committed on or after January 1, 1991, either in Maryland or elsewhere; or (2) the individual has no prior convictions or PBJ's, but the court finds there is a relationship between the conviction and the license. Holders of commercial driver's licenses, but not holders of other motor vehicle licenses, are covered by this legislation. The Act also prohibits a court from granting a PBJ to a person found guilty of a drug offense more than once; and when a court places a drug offender on probation, either before or after judgment, the court must require as a condition of the probation that the offender participate in a drug treatment or education program. The Act becomes effective January 1, 1991.

Transactions Involving Proceeds from Drug Offenses. Chapter 411 makes it a felony to participate in a financial transaction involving more than $10,000 in money or property knowing that the money or property is proceeds from drug crimes. The Act also requires the reporting of currency transactions exceeding $10,000 by certain businesses and financial institutions and mandates civil penalties for failure to report.

Penalties for Child Abuse. Chapter 604 authorizes a court to impose a separate sentence for child abuse when the person is also convicted of another crime based upon the same act or acts.

Sexual Offenses After Breaking and Entering a Dwelling House. Chapter 587 provides that a person is guilty of a sexual offense in the first degree if the person engages in a sexual act with another person by force or threat of force against the will and without the consent of the other person, and the person commits the offense in connection with the breaking and entering of a dwelling house.

Flag Destruction or Mutilation. Chapter 422 makes it a misdemeanor intentionally to mutilate, destroy, or use a flag of the United States or Maryland in a way intended or likely to incite or produce an imminent breach of the peace.

Presentence Investigations in Criminal Cases. Chapter 256 gives the court discretion, in a case involving a felony or a misdemeanor resulting in a victim's death or serious injury, to order a presentence investigation of the defendant from the Division of Parole and Probation if one is requested, and the court is satisfied that the sentencing process would be aided by such an investigation. The new law places the burden of establishing the desirability of ordering the investigation on the party that requests it.

Bail Reform for Drug Kingpins. Chapter 412 prohibits a District Court Commissioner from authorizing the pretrial release of a defendant who is charged as a drug kingpin. It permits a judge to release the defendant on bail; however, it creates a rebuttable presumption that any defendant charged as a drug kingpin will, if released, flee and pose a danger to another person or the community.

Home Detention Program for Inmates. Chapter 414 authorizes the establishment of a home detention program for inmates, except those serving a life sentence or found guilty of a crime of violence, child abuse, or escape. Under the program, inmates may be permitted to live in a private dwelling and obtain employment outside the home. An inmate is eligible for home detention only after having served any statutorily imposed minimum sentence.

Probation in Cecil and Harford Counties. Chapter 287 adds Cecil and Harford Counties to those counties (Charles, St. Mary's and Calvert) in which a court is authorized to impose a sentence of confinement (e.g., home detention or weekends in the county detention center) as a condition of probation.

Penalties for Crimes Involving Crack Cocaine. Chapter 347 makes it a felony, subject to a mandatory minimum term of imprisonment, to manufacture, distribute, or dispense 50 grams of crack cocaine. The Act also subjects to prosecution as a drug kingpin a person who plays a leadership role in a conspiracy to manufacture, distribute, or bring into the State 50 grams of crack cocaine.

Penalties for Making or Using a Pipe Bomb. Chapter 677 makes it a felony, subject to a maximum fine of $10,000 and imprisonment for 20 years, to manufacture, assemble, possess, transport, or use a pipe bomb.

Penalty for Trespass. Chapter 523 authorizes a court to impose a term of up to three months imprisonment on a trespasser after the owner of the property has warned the trespasser to leave.

4. Civil Law and Procedure

Collection of Criminal Restitution. Chapter 386 establishes that a person to whom a defendant has been ordered to pay restitution has all the rights and obligations of a money judgment creditor under the Maryland Rules. The Act sets forth specific procedures to be followed when recording and indexing an order of restitution.

Civil Commitment Hearings Procedures. Chapter 73 provides that in a case of involuntary admission to a mental health institution, the court must hold a hearing and make a decision whether to continue the confinement within ten days of the date that the individual is confined. The court may postpone the hearing and decision for up to seven additional days if it has good cause for the postponement and states the reasons on the record.

Right of Appeal from a Remittitur. Remittitur is a court order requiring a plaintiff either to accept a lesser amount of damages than the jury awarded or to go through a new trial. Chapter 428 authorizes a plaintiff to appeal a remittitur when the defendant appeals the judgment.

5. Juvenile and Family Law

Child Support Guidelines. Chapter 58 creates a rebuttable presumption that the child support guidelines enacted in 1989 are correct. If the court orders more or less child support than the guidelines provide, it must state in writing or on the record its reasons for deviating from the guidelines.

Modification of Deeds, Agreements, and Settlements in Divorce. Chapter 443 clarifies that a court may, under most circumstances, modify any provision of a deed, agreement, or settlement that is incorporated, whether or not merged, into a divorce decree. The Act applies retroactively to all divorce decrees.

6. Motor Vehicle Laws

Drunk and Drugged Driving Tests. Chapter 413 requires a person to submit to a drug test if the person is detained on reasonable suspicion of driving while under the influence of drugs and/or alcohol. If the person refuses to submit to the test, the police officer confiscates the driver's license and issues a temporary license that authorizes the person to drive for 45 days or until a hearing is held by the Motor Vehicle Administration. The results of the drug test are admissible as evidence in certain criminal prosecutions.

Penalties for Driving While License Suspended in Another State. Chapter 374 decreases the points and criminal penalties that may be imposed on a person for driving a motor vehicle in Maryland while the person's license is suspended in another state (1) for failure to comply with a notice in a traffic citation to appear in a court of that state or (2) for failure to pay a fine for violation of that state's traffic laws or regulations.

LISTING OF TABLES AND DEFINITIONS

Listing of Tables

Table No.		Page No.
COURT OF APPEALS		
CA-1	Court of Appeals—Appeals Actually Filed and Terminated Within Fiscal Year—Graph	21
CA-2	Origin of Appeals by Appellate Judicial Circuits and Counties—Court of Appeals	22
CA-3	Appeals Docketed by Term—Court of Appeals—Regular Docket—Graph	22
CA-4	Filings and Dispositions—Court of Appeals	23
CA-5	Cases Pending—Court of Appeals—Regular Docket	23
CA-6	Five-Year Comparative Table—Petition Docket Dispositions—Petitions for Certiorari	24
CA-7	Disposition of Court of Appeals Cases—Regular Docket	25
CA-8	Average Time Intervals for Cases Disposed by Court of Appeals—Regular Docket	26
CA-9	Five-Year Comparative Table—Average Time Intervals for Filing of Appeals on the Regular Docket	26
COURT OF SPECIAL APPEALS		
CSA-1	Court of Special Appeals—Appeals Actually Filed and Terminated Within Fiscal Year—Graph	29
CSA-2	Origin of Appeals by Appellate Judicial Circuits and Counties—Court of Special Appeals	30
CSA-3	Appeals Docketed by Term—Court of Special Appeals—Regular Docket—Graph	30
CSA-4	Prehearing Conference Reports—Court of Special Appeals—Graph	31
CSA-5	Disposition of Information Reports Assigned for Prehearing Conference—1989 Term—Pie Chart	31
CSA-6	Five-Year Comparative Table—Disposition of Applications for Leave to Appeal and Other Miscellaneous Cases	32
CSA-7	Cases Disposed by Court of Special Appeals—Regular Docket	32
CSA-8	Pending Cases—Court of Special Appeals—Regular Docket	33
CSA-9	Relationship Between Court of Special Appeals Filings on 1989 Regular Docket and Circuit Court Trials in Fiscal 1989	34
CSA-10	Average Time Intervals for Cases Disposed by Court of Special Appeals—Regular Docket	35
CSA-11	Five-Year Comparative Table—Average Time Intervals for Filing of Appeals on the Regular Docket	35
CIRCUIT COURT		
General		
CC-1	Circuit Court—Filings by Fiscal Year—Graph	39
CC-2	Five-Year Comparative Table—All Cases—Filings and Terminations	40
CC-3	Comparative Table on Filings in the Circuit Court	41
CC-4	Terminations as a Percentage of Filings in the Circuit Courts—Graph	42
CC-5	Jury Trial Prayers Pre- and Post-Gerstung Law (Chapter 608)	44
CC-6	Total Cases Filed, Terminated, and Pending in the Circuit Courts	45
CC-7	Percentages of Original and Reopened Cases Filed	46
CC-8	Categories of Filings—Original and Reopened Cases Filed	47
CC-9	Categories of Terminations—Terminations of Original and Reopened Cases Filed	48
CC-10	Court Trials, Jury Trials, and Hearings by County, Circuit, and Functional Area	49
CC-11	Judicial Proceedings and Courtroom Days by County	50

Table No.		Page No.
CC-12	Appeals from District Court and Administrative Agencies and Percentage of Circuit Court Case Filings Originating from the District Court	51
CC-13	Average Days from Filing to Disposition	52
CC-14	Population in Relation to Circuit Court Caseload	53
CC-15	Five-Year Comparative Table—Appeals from the District Court and Administrative Agencies	54
CC-16	Applications for Review of Criminal Sentences	55
	Civil	
CC-17	Five-Year Comparative Table—Civil Cases—Filings and Terminations	56
CC-18	Civil Cases Filed, Terminated, and Pending in the Circuit Courts	57
CC-19	Civil Cases—Ratio of Trials to Dispositions	58
CC-20	Five-Year Comparative Table—Civil Cases Tried	59
CC-21	Civil—Average Days from Filing to Disposition by Age of Cases and Cumulative Percentages of Dispositions Within Specific Time Periods	60
	Criminal	
CC-22	Five-Year Comparative Table—Criminal Cases—Filings and Terminations	61
CC-23	Criminal Cases Filed, Terminated, and Pending in the Circuit Courts	62
CC-24	Criminal Cases—Ratio of Trials to Dispositions	63
CC-25	Five-Year Comparative Table—Criminal Cases Tried	64
CC-26	Criminal—Average Days from Filing to Disposition by Age of Cases and Cumulative Percentages of Dispositions Within Specific Time Periods	65
	Juvenile	
CC-27	Five-Year Comparative Table—Juvenile Causes—Filings and Terminations	66
CC-28	Juvenile Cases Filed, Terminated, and Pending in the Circuit Courts	67
CC-29	Juvenile—Average Days from Filing to Disposition by Age of Cases and Cumulative Percentages of Dispositions Within Specific Time Periods	68
CC-30	Delinquency Terminations by Type of Disposition	69
	DISTRICT COURT	
DC-1	District Court—Caseload by Fiscal Year—Graph	74
DC-2	Five-Year Comparative Table—Motor Vehicle and Criminal Cases Processed and Civil Cases Filed in the District Court	76
DC-3	Comparative Table on Cases Filed or Processed in the District Court of Maryland	77
DC-4	Motor Vehicle, Criminal, and Civil Cases Filed and Processed in the District Court of Maryland	78
DC-5	Population and Caseload Per District Court Judge as of June 30, 1990	79
DC-6	Cases Filed or Processed in the District Court Per Thousand Population	80
DC-7	Five-Year Comparative Table—Motor Vehicle Cases Processed by the District Court	81
DC-8	Five-Year Comparative Table—Criminal Cases by the Number of Defendants Charged—Processed in the District Court	82
DC-9	Five-Year Comparative Table—Civil Cases Filed in the District Court	83
DC-10	Five-Year Comparative Table—Driving While Intoxicated Cases Received by the District Court of Maryland	84
DC-11	Driving While Intoxicated Dispositions	85
DC-12	Five-Year Comparative Table—Emergency Evaluation and Domestic Abuse Hearings Held in the District Court of Maryland	86

Definitions

Adoption, Guardianship
This includes all adoptions and guardianships including regular adoptions, guardianship with right to adoption and guardianship with right to consent to long-term case short of adoption. Guardianships of incompetents are reported in "Other—General."

Adult
A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal
The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.
2. De Novo—The retrial of an entire case initially tried in the District Court.
3. Administrative Agency—Appeals from decisions rendered by administrative agencies. For example:

—Department of Personnel
—County Commissioner
—Department of Taxation and Assessments
—Employment Security
—Funeral Director
—Liquor License Commissioners
—Physical Therapy
—State Comptroller (Sales Tax, etc.)
—State Motor Vehicle Authority
—Supervisors of Elections
—Workmen's Compensation Commission
—Zoning Appeals
—Any other administrative body from which an appeal is authorized.

Application for Leave to Appeal
Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgments following guilty pleas, and denial of or grant of excessive bail in habeas corpus proceedings.

Case
A matter having a unique docket number; includes original and reopened (post judgment) matters.

Caseload
The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile, and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A.
(Child in Need of Assistance)
Refers to a child who needs the assistance of the court because:

1. The child is mentally handicapped or
2. Is not receiving ordinary and proper care and attention, and
3. The parents, guardian or custodian are unable or unwilling to give proper care and attention.

C.I.N.S.
(Child in Need of Supervision)
Refers to a child who requires guidance, treatment or rehabilitation because of habitual truancy, ungovernableness or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation
The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Contested Confessed Judgment
The act of a debtor in permitting judgment to be entered by his creditor immediately upon filing of a written statement by the creditor to the court.

Contracts
A case involving a dispute over oral or written agreements between two or more parties.

Breaches of verbal or written contracts
Landlord/tenant appeals from District Court

Delinquency
Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition
Entry of final judgment in a case.

District Court—Contested
Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case
Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing
The initiation of a civil action or case in the District Court. District Court criminal and motor vehicle cases are reported as "processed" rather than as "filed."

Divorce, Nullity
A proceeding to dissolve a marriage. Original filings under this category include divorce a vinculo matrimonii, divorce a mensa et thoro, and annulment. A reopened case under this category includes hearings held after final decree or other termination in the original case. A reopened case may involve review of matters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket
Formal record of court proceedings.

Filing
Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings.

Fiscal Year
The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1989, to June 30, 1990.

Hearings
- **Criminal**—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

Examples of Hearings in Criminal
- Arraignment
- Discovery motion
- Guilty plea
- Motion to quash
- Motion to dismiss
- Motion for change of venue
- Motion to continue
- Motion to suppress
- Motion to sever
- Nolo contendere
- Not guilty with agreed statement of facts
- Sentence modifications
- Violation of probation

NOTE: During Fiscal 1989, revised definitions to a court trial, a jury trial and a hearing in criminal cases were considered and adopted but will not become effective until Fiscal 1991. Therefore, the revised definitions will appear in the next publication of the *Annnual Report of the Maryland Judiciary.*

- **Civil**—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporter, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Civil
- Motion to compel an answer to an interrogatory
- Motion ne recipiatur
- Motion for judgment by default
- Demurrer
- Motion for summary judgment
- Motion to vacate, open, or modify confession of judgment
- Preliminary motions presented in court, including motions for continuance
- Determination of alimony pendente lite, temporary custody, etc., in a divorce case
- Contempt or modification hearings

- **Juvenile**—A presentation before a judge, master, or examiner on the record in the presence of a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Juvenile
- Preliminary motions presented in court
- Arraignment or preliminary inquiry
- Detention (if after filing of petition)
- Merits or adjudication
- Disposition
- Restitution
- Waiver
- Review
- Violation of probation

Indictment
The product of a grand jury proceeding against an individual.

Information
Written accusation of a crime prepared by the State's Attorney's Office.

Jury Trial Prayer—Motor Vehicle
A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the sentence must be for more than six months.

Jury Trial Prayer—Other (Criminal)
A request for a trial by jury in the circuit court for charges normally heard in the District Court, **except** traffic charges or nonsupport.

Miscellaneous Docket
Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts
Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases settled out of court.)

Motor Vehicle Appeals
An appeal of a District Court verdict in a traffic charge.

Nolle Prosequi
A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport
A criminal case involving the charge of nonsupport.

Original Filing
See "Filing."

Other Appeals (Criminal)
An appeal of a District Court verdict **except** one arising from a traffic charge or nonsupport.

Other Domestic Relations
Matters related to the family other than divorce, guardianship, adoption or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity
This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law
This category includes, among other things, conversion, detinue, ejectment, issues from Orphans' Court, attachments on original process, and mandamus.

Other Torts
Personal injury and property damage cases resulting from:

- Assault and battery—an unlawful force to inflict bodily injury upon another.
- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity
A suit to determine fatherhood responsibility of a child born out of wedlock.

Pending Case
Case in which no final disposition has occurred.

Post Conviction
Proceeding instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing
The first hearing held on a case after a final judgment on the original matter has been entered.

Stet
Proceedings are stayed; one of the ways a case may be terminated.

Termination
Same as "Disposition."

Trials

- **Criminal**

  Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.

  Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.

  NOTE: During Fiscal 1989, revised definitions to a court trial, a jury trial and a hearing in criminal cases were considered and adopted but will not become effective until Fiscal 1991. Therefore, the revised definitions will appear in the next publication of the *Annnual Report of the Maryland Judiciary.*

- **Civil**

  Court Trial—A contested hearing on any one or all merits of the case, presided over by a judge, to decide in favor of either party where testimony is given by one or more persons. Note: "Merits" is defined as all pleadings prayed by the plaintiff in the original petition that created the case. Divorce, custody, child support, etc., are examples that might be considered merits in a civil case.

  Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category
A case that has been reported but not specifically identified as to case type by the reporting court.

Administrative Office of the Courts
Courts of Appeal Building
Annapolis, Maryland 21401
301/974-2141